State of Kansas

County Election Manual

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Chapter 1 Overview

Elections are conducted through the coordinated efforts of groups and individuals at the state, county and precinct level. In Kansas, the county election officer plays an important role in the election process in that this person is responsible for the printing and distribution of ballots, the operation of polling places, and the appointing and training of poll workers.

Election procedures are established by a variety of federal and state laws. This manual is a procedural guide for conducting elections according to those laws, with particular emphasis on two laws passed in recent years that have had the most impact on elections: the federal Help America Vote Act of 2002 (HAVA) and the Kansas Secure and Fair Elections Act of 2011 (SAFE). The manual draws heavily on the Kansas Election Standards, and more information may be found in the Standards on most of the topics included here.

The following is a list of the major laws governing the election process.

A. Federal laws

1. Voting Rights Act of 1965

The Voting Rights Act of 1965 guarantees the constitutional right to vote to all citizens of the United States and prohibits discriminatory practices. Section 203 of the Act requires certain jurisdictions to provide voting materials and ballots in languages other than English. This determination is made from the most recent U.S. Census population data. Four counties in Kansas are required to provide materials and ballots in Spanish (Finney, Ford, Grant, and Seward).

2. Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)

UOCAVA guarantees the right to vote for military personnel and their dependents and for U.S. citizens living abroad. It establishes special procedures to assist these voters in overcoming barriers to registration and voting caused by their distance from their home residences. Voters covered by UOCAVA are referred to as federal services voters or UOCAVA voters.

3. Military and Overseas Voter Empowerment Act of 2009 (MOVE)

MOVE comprises a series of amendments to UOCAVA designed to further facilitate voting by military and overseas voters by allowing them to obtain voting information and to apply for and receive ballots electronically. With MOVE, UOCAVA voters can receive and return their ballots by mail, fax, email or other electronic means authorized by the Secretary of State. MOVE also codified in federal law the requirement that UOCAVA ballots must be distributed no later than 45 days before an election, unless the voter applies for a ballot less than 45 days before the election.

4. National Voter Registration Act of 1993 (NVRA)

NVRA increases voter registration opportunities for many Americans by requiring certain government agencies and other offices to offer registration forms during the normal process of applying for services. NVRA also guarantees the right to a provisional, or fail-safe, ballot for certain voters and specifies procedures for keeping voter registration lists up to date.

5. Help America Vote Act of 2002 (HAVA)

HAVA improved the administration of elections by modernizing voting equipment, establishing a statewide computerized voter registration database, guaranteeing the right to a provisional ballot, and improving access to the ballot and to polling places for voters with disabilities. HAVA results in greater involvement by

the state in county procedures and requires a coordinated effort to administer elections. It places greater emphasis on training of county election officers and poll workers.

HAVA also established a new federal agency, the Election Assistance Commission, to assist states and localities by adopting voting equipment standards, disbursing federal funds, and acting as a clearing house for ideas and procedures. HAVA provided federal funding to finance its mandates.

B. State laws

1. Kansas Statutes Annotated Chapter 25

Most of the state laws governing voter registration and the voting process are in Chapter 25 of the Kansas Statutes Annotated. There also are laws affecting the voting process in other chapters that come into play in certain situations. Chapter 25 also contains the Campaign Finance Act (Article 41), which is administered by the Kansas Governmental Ethics Commission.

2. Secure and Fair Elections Act (SAFE)

SAFE contains three major parts.

- 1. Photo voter ID Each voter must show photo identification at the polling place during each election, with certain specific exceptions.
- Citizenship verification Each person applying to become a registered voter for the first time in Kansas must provide proof of U.S. citizenship. NOTE: This provision is effective January 1, 2013.
- 3. Identification and security of mailed advance ballots
 - a. Voters who request advance ballots by mail must submit either their driver's license numbers or copies of photographic identification documents.
 - b. The security of ballots being returned by mail is enhanced because:

- by-mail advance voters must personally sign their ballot applications.
- by-mail advance voters must personally mail or deliver their ballots to the election office or, if not, designate *in writing* other persons to mail or deliver their ballots.
- designated ballot delivery persons must sign statements that they did not unduly influence the voters' decisions and that they will mail or deliver the ballots as directed by the voters.

C. Other legal guidance

County election officers also receive guidance from other sources.

1. Administrative regulations

Administrative regulations are adopted by federal or state agencies under authority granted by statute. State regulations are published in the Kansas Administrative Regulations. Regulations affecting elections are adopted by the Secretary of State or the state election board.

County election officers also have the authority under KSA 25-2706(a) to "adopt such rules and regulations for elections as may be needed and not in conflict with state law or rules and regulations." A common example is that many counties have adopted regulations prohibiting the application of labels or stickers on ballots for write-in candidates.

NOTE: Five administrative regulations were adopted in January, 2012 by the Secretary of State to implement various portions of the SAFE Act:

- KAR 7-23-14: Assessing U.S. citizenship documents
- KAR 7-36-7: Processing advance ballot applications
- KAR 7-46-1: Postelection submission of photo ID by provisional voter

- KAR 7-46-2: Poll worker assessment of photo IDs
- KAR 7-46-3: Declaration of religious objection See the appendix at the back of this manual.

2. Court cases

Decisions made by federal and state courts often provide guidance on election procedures, and they sometimes may rule a statute to be unconstitutional and therefore unenforceable. The Secretary of State monitors cases and is sometimes involved in litigation. The office informs county election officers of cases that affect their activities.

3. Secretary of State

As chief state election officer, the Secretary of State provides guidance to county election officers. The Secretary has certain specific statutory duties, including that of providing training to county election officers, and also plays a more informal role in answering elections questions.

4. County attorney/counselor

The chief legal authority in each county is the county attorney or district attorney. Many counties also have an appointed county counselor who provides guidance to the county election officer and to the county board of canvassers.

5. Kansas Election Standards

The Election Standards were adopted jointly by the Secretary of State's office and the Kansas County Clerks and Election Officials Association in 2003. The Standards were developed mainly for the county election officer, but they are a reference for anyone involved in election administration, including poll workers and county canvassers. Many procedures outlined in the Standards contain statutory and other legal citations, but some result from longstanding administrative practice.

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Chapter 2Voter Registration

Voter registration is required for voting and for most forms of participation in the election process. The voter registration list, or "roll," is the basis for the administration of elections and the determinant of who may vote in a given election, where they vote and upon what ballot. Because the constitutional right to vote is administered by using the voter list, the creation and maintenance of an accurate list is imperative, and a computerized, automated list increases efficiency.

A. Registration process

The county election officer (CEO) oversees the voter registration process in the county. Application forms are distributed by many entities, but the county election officer processes the applications, determines the qualifications of applicants, and adds the names of qualified applicants to the official list. Also, it is the county election officer who updates and edits registration records and deletes them according to statutory procedures.

1. Sources of applications

Mail – Individual applicants or persons or groups conducting registration drives may mail applications to the election office.

In person – A person may deliver one or more applications to the election office. The application forms may have been obtained from a recognized registration site or printed from an Internet site.

Other election offices – Any state, county or local election office in the United States may forward completed applications to the appropriate election office if they were delivered to the wrong office.

Private drives – Any person or group wishing to conduct a registration drive may obtain a supply of forms, distribute them, and re-

turn completed forms to the election office in person, by mail or fax.

Designated agencies – Certain government offices are required by the National Voter Registration Act and corresponding state laws to distribute applications, including:

- the Division of Motor Vehicles driver's license examination offices.
- offices distributing certain types of public assistance.
 - Offices of the Kansas Department of Social and Rehabilitation Services administering the following federal programs:
 - SNAP (Supplemental Nutrition Assistance Program, formerly known as Food Stamps),
 - TANF (Temporary Assistance for Needy Families, formerly known as Aid to Families with Dependent Children) programs, and
 - Medicaid
 - The Kansas Department of Health and Environment administering the federal WIC (Women, Infants and Children) program.
- agencies providing services to persons with disabilities, including services provided in the home.
- first and second class city clerk offices.

Deputized outposts – County election officers may establish registration outposts in various public places, including retail stores, banks, libraries, and schools. These are referred to as deputized outposts because, according to the law, the persons operating such outposts serve as deputy election officers. They serve for two-year terms and receive training and supplies from the county election officer and keep records according to the CEO's instructions.

2. U.S. citizenship assessment

NOTE: This requirement is effective January 1, 2013. Any person registering to vote in Kansas for the first time is

required to provide satisfactory evidence of United States citizenship. If a citizenship document is not provided at the time the person submits his or her voter registration application, it may be submitted at a later time. (See "Last-Minute Submission of Documents" below.)

CEOs should scan applicants' citizenship documents and attach them to applicants' registration records in the voter registration database. They will also receive scanned images of documents from the Division of Motor Vehicles for persons who apply for or renew their driver's licenses and register to vote simultaneously.

Individuals registered in Kansas before January 1, 2013 are deemed to have submitted satisfactory evidence of citizenship and are exempt from the requirement. [KSA 25-2309(n)]

Citizenship documents and third-party registration drives

Any office, person or organization conducting voter registration must be made aware of the citizenship verification requirement (see below). After the effective date of this law, anyone distributing voter registration applications must inform applicants to submit a copy of a valid citizenship document to the county election office along with the voter registration application if the applicant has not been previously registered to vote in Kansas.

Persons collecting applications for submission to the election office may:

- 1. collect a photocopy of the document from the applicant and deliver it to the election office with the registration application,
- 2. scan or photograph the document and submit it electronically with the registration application, taking care to produce a legible image, or
- 3. inform the applicant that he/she must submit a copy of a valid citizenship document to the election office by mail, fax, hand delivery or electronic delivery before election day.

Motor-voter as a source of documents

Many new registrations, changes of address and other updates come from the Division of Motor Vehicles because of DMV's statutory duty to offer voter registration to all driver's license applicants or renewals. Almost all of DMV's registrations and updates are electronic, either through the electronic motor-voter process in their offices or through the online voter registration process. These programs were established by the Secretary of State and DMV in a cooperative effort. Because of these programs, many of the citizenship documents submitted by voter registration applicants will come from DMV through the Election Voter Information System (ELVIS) Agency Central component. Before 2010, DMV required all *new* applicants for driver's licenses to provide "proof of identity," including evidence of U.S. citizenship or lawful presence. In 2012, DMV will begin requiring these same documents from all persons renewing their driver's licenses. Citizenship verification is part of the new driver's license system and part of the requirements of the federal "Real ID" Act.

If driver's license applicants choose to register to vote, the scanned images of their citizenship documents, sometimes more than one per person, will be transmitted to ELVIS as attachments to their electronic records, the same as their digitized signatures have for several years.

At present, these are the only citizenship documents from voter registration agencies that will be transmitted to the county election officer in electronic format. Most documents from other sources will come to the CEO as paper copies, which must be scanned and attached to the voter's record in ELVIS. However, it is anticipated that some third-party registration drives and other sources will transmit electronic copies. The Secretary of State has authorized individuals to scan or photograph documents and transmit them to the CEO electronically. These are acceptable as long as they are legible and there is no doubt which voter registration applicant

they correspond to. (See "Citizenship Documents and Third-Party Registration Drives" above.)

Many registrants will choose to apply in person or to mail, fax, hand deliver or electronically deliver their citizenship documents to the CEO.

3. Last-minute submission of documents

If an applicant does not provide a citizenship document with his or her registration application, the CEO will enter the applicant's information into the voter registration database with a status of "Suspense" until the applicant provides sufficient documentation. The applicant may (1) mail or deliver their documentation to the CEO's office by the close of business on the day before the election, or (2) submit their documentation electronically by midnight the day before the election. "Electronically" means fax, email or other electronic means approved by the Secretary of State. [KAR 7-23-14(b)]

In such cases, the CEO must (1) accept, assess and process the documentation, (2) if the documents are sufficient, add the applicant's name to the voter registration list, and (3) if practicable, include the name on the poll book. If poll books have been printed, send the name of the voter to the election board with instructions to allow the voter to vote a regular ballot. If this is not practicable, the voter shall be allowed to vote a provisional ballot. The ballot should count if the citizenship document was received according to the rules stated above.

If the applicant fails to provide a document before midnight on the day before the next election, he or she must vote a provisional ballot. In this situation, the provisional ballot does not count because the person had not met all the requirements to be a registered voter.

4. One-time citizenship assessment

The requirement to provide evidence of one's citizenship occurs only when registering for the first time in Kansas. Once a person has met this requirement and has been added to the voter registration list, he/she is not required to provide evidence of citizenship again. Moving from one place to another within Kansas or modifying one's registration records also does not require the person to re-submit evidence of citizenship. [KSA 25-2309(p)]

If a voter's registration is canceled and the person re-registers, the person's citizenship document shall be reassessed by the CEO if the CEO has access to the document.

However, if a registrant was registered to vote before the effective date of the citizenship requirement (January 1, 2013) and his/her registration is canceled, the person must submit a citizenship document when re-registering to vote. [KAR 7-23-14(c) and (d)]

5. Valid citizenship documents

The following documents may be used as evidence of U.S. citizenship for voter registration purposes.

- a driver's license or nondriver's identification card issued by the Division of Vehicles (or the equivalent governmental agency of another state within the U.S.) if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of U.S. citizenship
- a birth certificate that verifies U.S. citizenship
- a U.S. passport or pertinent pages of the applicant's U.S. valid or expired passport identifying the applicant and the applicant's passport number
- a U.S. naturalization document or the number of the certificate of naturalization. (If only the number of the certificate of naturalization is provided, the applicant shall not be included on the registration rolls until the number of the certificate of naturalization is verified with the U.S. Bureau of Citizenship and Immigration Services by the county election officer or the Secretary of State, pursuant to 8 U.S.C. § 1373(c))
- other documents or methods of proof of U.S. citizenship

- issued by the federal government pursuant to the Immigration and Nationality Act of 1952
- a Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number
- a consular report of birth abroad of a citizen of the U.S.
- a certificate of citizenship issued by the U.S. Bureau of Citizenship and Immigration Services
- a certification of report of birth issued by the U.S. Department of State
- an American Indian card, with KIC classification, issued by the U.S. Department of Homeland Security (NOTE: This document applies only to a small Texas band of the Kickapoo tribe with slightly more than 50 members.)
- a final adoption decree showing the applicant's name and U.S. birthplace
- a U.S. military record of service showing applicant's place of birth in the U.S.
- an extract from a U.S. hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the U.S.

[KSA 25-2309(1)]

NOTE: A voter registration record from another state is not satisfactory evidence of U.S. citizenship in Kansas. [KSA 25-2309(o)]

6. Free birth certificates

- a. Birth certificates for voter registration The Office of Vital Statistics in the Kansas Department of Health and Environment (KDHE) is the sole source of birth certificates. The office in Topeka is the only office that provides copies of birth certificates—KDHE does not operate local offices around the state. The Office will issue a free certified copy of a person's Kansas birth certificate for voter registration purposes to anyone who:
 - is 17 years of age or older,

- is not registered to vote in Kansas and wishes to be registered, and
- swears under penalty of perjury that he/she does not possess any of the documents needed to prove U.S. citizenship.

Form BCA (Birth Certificate Affidavit) is used to waive the normal fee for a certified copy of a birth certificate; the person also must complete the form required by the Office of Vital Statistics to obtain a birth certificate. The form is available from KDHE or from the Secretary of State's office, or on their web sites, and from county election offices.

The process of providing free copies of birth certificates went into effect in January, 2012.

[KSA 65-2418(a)(3)]

b. Birth certificates for photo ID – In February, 2012, the Office of Vital Statistics expanded its program that provides free birth certificates to assist certain categories of voters: those who need birth certificates to obtain a free photo ID from the Division of Motor Vehicles for *voting* purposes.

KSA 8-1324 allows a person to obtain a free nondriver's ID card from the Division of Motor Vehicles (or one of their local offices/county treasurer's offices) for the purposes of voting if the applicant:

- is 17 years or older,
- produces evidence that he/she is registered to vote, and
- signs an affidavit stating that he/she does not possess any of the valid ID documents listed in the law and intends to use the free ID card for purposes of voting.

The Secretary of State and Division of Motor Vehicles jointly developed a form for this purpose: the Certification Requesting Fee Waiver for Nondriver Identification Card (Form DE-VID1).

NOTE: This form only serves to waive the fee normally charged by DMV. It does not eliminate or relax the requirement that a person provide "proof of identity" (including evidence of

U.S. citizenship and lawful presence in the U.S.) to obtain the ID card. Because these individuals still must provide documentation that they are citizens, if they do not possess any of the documents allowed as proof of U.S. citizenship, the Office of Vital Statistics will provide one under the terms outlined in Section a. above. After obtaining a free birth certificate, the person proceeds to a DMV office to apply for a free ID card, using the birth certificate to satisfy the documentation requirement. Vital Statistics should provide a copy of Form BCA for the applicant to take to the DMV.

See also Chapter 5, Section C on Polling Place Voting / Voting.

7. Assessing citizenship documents

Consider the applicant's first name, middle name or initial, last name, date of birth, place of birth, and sex.

If the name is consistent with the name on voter registration application, add the applicant's name to the registration list.

If the *name* or *sex* is not consistent with information provided on the voter registration application,

- 1. ask the applicant for another government document confirming the name (the second document does not have to be one of the thirteen documents listed in the SAFE Act), or
- 2. ask the applicant to sign an affidavit (the Secretary of State's Form CDU), or
- 3. inform the applicant of his/her right to appeal to the state election board.

If the *date of birth* on the citizenship document does not match the voter registration application, inform the applicant of his/her right to appeal to the state election board.

If the *place of birth* is indicated on citizenship document, this may be used in assessing citizenship. If it is not indicated, this shall not result in an unsatisfactory assessment of citizenship.

Documents submitted as evidence of citizenship may be expired documents. [KAR 7-23-14(a)]

8. Unsatisfactory citizenship documents

If a citizenship document submitted by a voter registration applicant is deemed unsatisfactory due to an inconsistency between the citizenship document and the (1) name or (2) sex indicated on the applicant's voter registration application, the applicant may sign an affidavit explaining the inconsistency. The Secretary of State's Form CDU is designed for this purpose.

The applicant must state the nature of the inconsistency, the reason for it, and must swear under oath that, despite the inconsistency, the applicant is the individual reflected in the citizenship document. In such cases, the CEO must assess the person's eligibility to vote without regard to the inconsistency in the citizenship document as stated in the affidavit. A properly executed affidavit should result in the applicant being granted full registration status unless it is denied for another reason. Nevertheless, the date of birth on the citizenship document must match the date of birth on the voter registration application. An inconsistency in the date of birth may not be explained away or disregarded due to the applicant's signing the affidavit on Form CDU. [KSA 25-2309(q)]

9. Appeals to state election board

Applicants who cannot meet the citizenship verification requirement because they do not possess any of the prescribed documents to prove their U.S. citizenship may appeal to the state election board for consideration of their registration applications. The Secretary of State's Form RCD is designed for this purpose. CEOs may refer such individuals to the Secretary of State's office to file their appeals. [KSA 25-2309(m)]

10. Confidentiality of citizenship documents

Upon receipt, the county election officer and Secretary of State are required to maintain confidentiality of all documents submitted by voter registration applicants to prove U.S. citizenship. [KSA 25-2309(r)]

NOTE: The confidentiality requirement does not extend to third-party registration drives. Individuals and groups conducting registration drives must be cautioned that there is personal information on many documents and they must exercise care in handling the documents.

B. Processing voter registration applications

The county election officer has the responsibility of processing each voter registration application to assess whether the applicant meets the constitutional and statutory requirements of a qualified elector in Kansas. Each application must be reviewed for completeness and legibility.

1. Verification with the Division of Motor Vehicles

After being entered into the statewide voter registration database, new registrations are automatically batched and sent to the Division of Motor Vehicles (DMV) for verification against the driver's license database. The driver's license database is verified against the federal Social Security Administration (SSA) database using the applicants' Social Security numbers. Voter registration records are considered verified if they match either the verified driver's license records or the records of the Social Security Administration.

NOTE: Before passage of the SAFE Act in 2011, the rules under HAVA stated that any voter registration applicant whose record was not verifiable using the DMV or SSA databases was required to show ID when voting. Under SAFE, all voters must show photo ID each time they vote (with certain specific exceptions), so the HAVA ID portion of the state law is no longer in effect. Under SAFE, voter registration applicants will still provide either their driver's license numbers or the last four digits of their Social Security numbers on their applications (this is required by HAVA), but the numbers will be used only to perform the HAVA-required verification with DMV and SSA.

2. Notices of incompleteness

If an applicant fails to check the box on the registration application form indicating U.S. citizenship, the CEO must send a notice to the applicant saying that the application was incomplete and instructing the applicant how and by what date to complete the application in order to be eligible to vote in the next election.

Such notices are also sent if other critical pieces of information are omitted or illegible. Information is considered critical if it is necessary to determine an applicant's qualifications to vote—name, address, date of birth, citizenship, and signature.

3. Notices of disposition

The county election officer sends a notice of disposition to each voter registration applicant, notifying the applicant either that:

- the application is sufficient and the applicant's name has been added to the official county voter registration list, or
- the information on the application was incomplete, illegible or the applicant did not meet the requirements for voting. The notice of disposition requests the applicant to contact the election office and supply the missing information if something was incomplete or illegible. These records are entered into the database as "suspense" records pending resolution of the incomplete or illegible data.

If a notice of disposition is returned by the post office as undeliverable, the county election officer must send a confirmation notice and make the registrant's record inactive in ELVIS. The NVRA does not permit removal of the registrant's name from the registration list due to the return of the notice of disposition as undeliverable. However, if the registrant does not vote or otherwise contact the election office during the period dating from issuance of the confirmation notice through the second succeeding federal general election, the inactive record is canceled.

4. Registration deadline

The deadline for voter registration before any election is an important date. The law establishes the deadline as the 21st day before the election. Prospective voters may not apply to register to vote for that election after that date. Registered voters affiliated with a party may not change their party affiliations after that date before the partisan primary election in August of even-numbered years.

Applications postmarked by the 21st day before an election must be accepted and processed for that election. If the postmark is missing or illegible, an application is accepted only if received in the election office by the ninth day before the election.

Applications received during the 20-day period when registration is closed before an election are not valid for that election but are processed beginning the day after the election.

The pre-election registration deadlines affect voters' constitutional right to vote. Thus, it is imperative that county election officers promptly forward any voter registration applications or changes of address received before the deadline for registration. If one county election officer receives applications by the registration deadline, or applications *postmarked* by the deadline, those registrations are valid and must be sent to the appropriate county election officer without delay. A phone call to notify the county election officer that the registrations are being forwarded is recommended. Likewise, the Secretary of State's office observes the same deadlines and makes every effort to forward applications to the appropriate counties and to notify county election officers that applications are being mailed.

A person who completes an application for voter registration is not considered a registered voter until the county election officer adds the applicant's name to the county's official voter registration list. In this sense, the person who completes an application is an applicant; if the application is deemed valid, the person is a registrant; when the registrant votes in an election, he/she is considered a voter. In processing applications and adding names to the registration list, it is important to keep in mind that once registered, a person's name may not be removed from the list except for specified statutory reasons (death, felony conviction, moving out of the county, etc.). Thus, once a county election officer processes an application, deems it valid, and adds the applicant's name to the official list, the name may not be removed except for reasons specified in KSA 25-2316c(f). Voters' names may not be removed simply for not voting.

The date of registration entered into the voter registration file by the county election officer is significant. Not only is this the date the applicant becomes eligible to vote, but it is also when the person is eligible to participate in other activities such as running for office and signing election related petitions. In most cases the registration date is the date the election officer finishes reviewing the application and adds the applicant's name to the official voter registration list. However, at certain times, especially before the registration deadline, there may be too many applications to process on the same day they are received. For this reason, the county election officer should adopt a practice of date-stamping applications when they are received in the election office. When the applications have been processed and the qualifications of the applicants have been verified, the date stamped on each application is the date entered on the official list and the date of eligibility of the registrant.

5. Verification notices

These are *optional* notices mailed by the CEO to applicants with the intention of verifying the sufficiency of their addresses. The NVRA and Kansas law neither require nor prohibit this notification procedure. The notice is mailed before a registrant's name is added to the registration list and before the notice of disposition is mailed. If a verification notice is returned undeliverable, a notice

of disposition may then be mailed informing the applicant that the address provided on the voter registration application was inadequate, and the applicant's name has not yet been added to the registration list. If the verification notice is not returned undeliverable by the post office, the notice of disposition must then be mailed informing the applicant of his/her status as a registered voter.

6. Exchange of data

The voter registration process is a daily activity in most election offices. Applications, changes of address, and cancellations are routinely received from various sources for processing. Likewise, these documents must be forwarded from one election office to another in order that CEOs' and SOS records are updated.

Notification of changes of address are sent on paper and via email from the Division of Motor Vehicles. DMV and possibly other agencies will transmit entire applications electronically, including signatures. The exchange of documents and transmittal of data must be complete and constant if the state and counties are to have accurate voter registration lists.

C. Centralized Voter Registration (CVR)

1. System setup

HAVA required that "each state, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level..." [Section 303(a)(1)(A)] The generic term is centralized voter registration (CVR).

The CVR system designed in 2003-2004 by the SOS with input from county election officers is called ELVIS, for **EL**ection Voter Information System. It contains the following features:

- It is a single statewide system used by each county.
- Counties receive training, maintenance and support from

- the vendor that supplied the system and that maintains it under contract with the SOS.
- In addition to the computerized voter registration list, it includes an election management system (EMS) for management of precincts, poll workers, candidates, petitions, and other aspects of the election process.
- It allows secure electronic data transfer state to county, county to state, and county to county, including electronic reporting of election results, voter registration totals, and other reports.
- CEOs continue to be responsible for processing applications, determining qualifications of applicants, and adding/ deleting/altering records. The state never performs these functions.

2. List maintenance

Maintenance of voter registration lists is a cooperative effort between local election officials nationwide and the state election offices. List maintenance includes keeping updated information on all changes in each registrant's registration data, including:

- 1. address change
- 2. name change
- 3. party affiliation change
- 4. active/inactive status
- 5. suspended status
- 6. restricted address status (requiring nondisclosure of residence address)
- 7. disqualification from voting.

The CEO may *always* act to update records without confirmation on information signed and received directly from the voter, such as:

- 1. a new voter registration application form containing updated information
- 2. a change of address form completed at a driver's license station

- 3. information on a provisional ballot envelope or other information collected from the voter at the polling place
- 4. a written request from a voter.

It is important to change voter records only if the new information is received on a form designed for that purpose. Information received from a source other than the voter, or information received from the voter on a form designed for a different purpose, must be confirmed before altering the official voter registration records. For instance, if a voter indicates a different address when signing a petition or an advance ballot application form, it should not be considered a change in voter registration without confirmation. Or, if a registered voter files as a candidate for elective office and indicates on the declaration of intention a residential address different from the address on his/her registration records, the registration records should not be changed on that basis alone. Rather, the candidacy should be declared invalid if the address is outside the election district, assuming residency in the district is required for that office.

It is extremely important to use all the tools at the election officer's disposal to keep voter lists as accurate as possible. In fact, failure to perform some of the essential list maintenance activities is a violation of the law. Inaccurate voter lists are detrimental to the voting public, candidates, campaigns, and the election administration process in general.

The tools used in list maintenance include:

- National Change of Address (NCOA) program
- mailings by election administrators
- duplicate checks
- cancellations of voter registration
- felony conviction lists
- death lists
- interstate crosschecks of voter registration

a. National Change of Address (NCOA) – The NVRA requires each state to conduct a systematic program for maintaining an ac-

curate and updated voter registration list. The purpose is to identify registered voters whose addresses have changed and to contact them, usually through the mail, to obtain updated information. According to federal and state law, this may be accomplished in one of two ways. Each county election officer must choose one of the following:

- i. NCOA Each year the Secretary of State uses the statewide voter file to conduct the NCOA program. The Secretary of State contracts with a private vendor licensed by the U.S. Postal Service to compare the statewide voter file against the Postal Service's National Change of Address file, which maintains address changes for 36 months. If a registered voter's record appears in both files, it indicates a possible address change that must be reviewed for possible cancellation of one or more obsolete records. The information the Secretary of State receives from the NCOA program is forwarded to the appropriate CEOs, who mail confirmation notices in an attempt to obtain updated information directly from the voter.
- ii. Mass or targeted mailings As an alternative or an addition to NCOA, the CEO may choose to conduct his/her own mailings. Either a mass mailing to all registered voters in the county or a series of targeted mailings may be used. If targeted mailings are used, the series of mailings must eventually reach each registered voter at least once per year. The mailings ask registrants if the information on the county voter file is correct and, if not, to contact the election office to update it. If mail pieces are returned as undeliverable, it constitutes evidence of an address change and the confirmation mailing process must be initiated.
- b. Confirmation mailings The most expensive list maintenance activity in terms of time and money spent is tracking address changes. Any time the county election officer receives evidence of a voter's change of address from any source other than directly from the voter, the change must be confirmed. This is usually done by mailing a forwardable confirmation notice.

Evidence of an address change may include:

- 1. a returned piece of official election mail
- 2. a returned mail ballot or advance voting ballot
- 3. information from the National Change of Address program
- 4. information from the county's own mass or targeted mailings.

The confirmation notice is a forwardable, return-postage-paid mail piece asking the voter to verify and update his/her address information

An important distinction affecting the processing of confirmation notices is whether the apparent address change is a move *within* the county or *out of* the county (or state).

- 1. If the county election officer receives an indication that a voter has moved *within* the county, the election officer must:
 - change the voter's registration record to reflect the change,
 - send a forwardable confirmation notice to the voter at the new address

NOTE: The voter's status remains active.

If the confirmation notice is returned by the voter, the county election officer verifies the information and files the card. If the confirmation notice is not returned, the county election officer does nothing else. The voter's name may not be removed from the registration list.

- 2. If the county election officer receives an indication that a voter has moved *out of* the county, the election officer must:
 - send a forwardable confirmation notice to the voter at the new address,
 - change the voter's status to inactive.

NOTE: The voter's name may not be removed from the registration list yet.

If the confirmation notice is returned by the voter verifying that the voter has moved out of the county, the county election officer removes the voter's name from the registration list and files the card. If the confirmation notice is not returned, or if the post office returns the confirmation notice as "undeliverable" or "moved-no

forwarding address," the county election officer does nothing else. Then, if the voter fails to vote in any election from the date of the confirmation notice through the second succeeding statewide general election, the county election officer removes the voter's name from the registration list. If the post office returns the notice as undeliverable, the voter is considered inactive and thus may be canceled after the second succeeding federal general election.

The county election officer must maintain records of the dates of all confirmation mailings and returns from voters for statistical reports that are filed with the Secretary of State. Such records are maintained for two years.

If the CEO has been notified of a voter's address change by any alternative source other than those listed above, such as from an election board worker or a candidate, the election officer may contact the voter by phone, mail or other means in an attempt to determine the voter's address. However, the election officer may not change a voter's address without written notice from the voter, nor may the voter's name be included in any category (such as confirmation mailings) that might eventually result in cancellation of the voter's registration.

Note that this is different from the NCOA process. The NCOA is recognized in federal and state law as an acceptable means of identifying address changes. The law *requires* the address to be changed on the county registration records and a confirmation notice to be sent when an in-county address change is discovered through NCOA.

If a voter moves to a new address in a different precinct in the same county, the county election officer may choose to send a notice informing the voter of the location of the new polling place.

c. Duplicate check – The statewide voter file provides the means to discover duplicate voter registration records. Keying specifically on the name, birth date and Social Security number (if available), the program identifies individuals whose records ap-

pear more than once in the statewide file. When a duplicate check is completed at the state level, the possible duplicates are sent to the CEOs for review. If a registered voter's name appears on the list in more than one county, the respective CEOs must exchange information to determine (1) whether the records do in fact represent the same individual, and (2) which address is the more recent. The CEO possessing the "old" record may then cancel the registration from the county list.

The ELVIS system also notifies the CEO of possible duplicates as names are entered into the database.

d. Interstate crosscheck – The Secretary of State's office hosts a program of crosschecking voter registration databases among states. Begun in 2005, the program has grown to 15 states in 2012.

The program has two purposes: (1) search for matching voter records and cancel duplicates, and (2) search voter history for the past two elections to determine if any voter voted more than once in the same election.

A record that appears to indicate a person may be registered in more than one state is sent to the appropriate CEO with instructions for processing. The CEO sends a forwardable confirmation notice to the person and categorizes the record as inactive in the ELVIS database, pending the voter's response to the confirmation mailing or failure to respond during a time span including two general elections.

Evidence of a double vote is also referred to law enforcement and prosecutorial authorities.

e. Temporary driver's license check – In 2009 the Secretary of State's office began a program of comparing temporary driver's license lists to the voter registration list. Temporary driver's licenses are issued by the Division of Motor Vehicles to non-U.S. citizens who are lawfully present in the United States. Because these license holders are by definition not U.S. citizens, it is il-

legal for them to register to vote. If any temporary license holder is identified on the voter registration list, they are to be reported to the county election officer for cancellation. Several cases have been referred to law enforcement and prosecutors for casting illegal votes.

f. Social Security Administration Master Death File – In 2012 the Secretary of State's office purchased the nationwide Master Death File from the Social Security Administration and compared it to the voter registration list to identify deceased individuals who had not yet been removed from the voter list. As with all voter registration list maintenance programs, the results were provided to county election officers along with instructions for processing the results.

This program supplements the HAVA-required ELVIS interface with the Kansas Department of Health and Environment's Office of Vital Statistics which provides notices of deaths to county election officers.

- g. Cancellations One important factor in maintaining accurate voter registration lists is canceling the registrations of registrants who no longer are qualified to vote in the election officer's jurisdiction. Cancellations are caused by four factors:
- i. Address change out of the county or state Any time a registered voter moves out of the jurisdiction of one election officer, whether to a new county within the state or to a new state, and re-registers in the new jurisdiction, the election officer in the new jurisdiction must send a cancellation notice to the election officer in the previous jurisdiction.
- ii. Death When the election officer receives notice of the death of a registrant, the deceased voter's registration is canceled. Such notices may come from several sources:
 - an obituary notice in a newspaper,
 - a death notice from the Office of Vital Statistics in the

Kansas Department of Health and Environment (received weekly through ELVIS), or

• notice from the Secretary of State that a record matched the Social Security Administration's death list.

NOTE: The CEO must obtain one additional form of verification before taking action on a record from the SSA death list.

iii. Felony conviction – When the election officer receives a notice of a federal or state felony conviction, the felon is ineligible to vote upon conviction until the felony sentence is served. Notices may come from a U.S. Attorney's office or the Kansas Department of Corrections. Such notices are usually forwarded to the county election officer by the Secretary of State's office. Some CEOs have individual arrangements with their state district courts to be notified of state felony convictions.

Upon receiving notice of a felony conviction, the election officer cancels the person's registration. When the sentence is served, the person may re-register to vote.

iv. Court ruling – If a court of competent jurisdiction rules a person ineligible to vote, the CEO cancels the person's registration. Such rulings are not common.

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Chapter 3 Preparing for an Election

Although many people are involved in the planning and conduct of an election, it is the county election officer who oversees the activities of all those involved. The following aspects of election administration should be considered when preparing for an election.

A. Types of elections

Following is a list of the types of elections conducted by CEOs.*

- 1. National/state/county/township elections
- 2. City/school/community college elections
- Other local elections
 These include, but are not limited to, hospital boards, drainage districts, water districts, watershed districts, library, recreation and fire districts.
- 4. Question submitted elections, or special elections.

 These include statewide constitutional amendment elections, recall elections, bond elections, sales tax elections, and many others, but they never include elections at which individuals are elected to office except in certain instances when a person is elected to fill a vacancy in office.
- 5. Mail ballot elections
- 6. These are held for local jurisdictions and question submitted elections only.
- 7. Presidential preference primary
- 8. Recall elections
- 9. Advisory elections

These are neither specifically authorized nor prohibited by law. When conducted, they sometimes involve the county election officer. Special rules apply.

* Advisory elections are a possible exception in that the county

election officer is not always involved. A more complete discussion of each type of election is included in the Kansas Election Standards.

B. Calendar

It is helpful to build a calendar backward from the date of the election. All the important dates should be entered on the calendar so that it becomes the road map for conducting the election. Working backward in time from the date of the election, four events provide the key dates around which the calendar is built: the voter registration deadline, the beginning of advance voting, the preparation of ballots, and the date of publication of notice of the election. The earliest deadline to meet is the date 45 days before the election when military and overseas voters' ballots must be sent.

The Secretary of State prepares a calendar for national/state/county/township elections and distributes it to CEOs during the fall of the year preceding the election. The SOS also prepares a calendar for city and school elections held in odd-numbered years. Each CEO must prepare his/her own calendar for special elections, also referred to as question submitted elections.

C. Publications

There are several types of publications that must be printed in local newspapers before an election. The schedule for publishing, and often the content of the publication, are prescribed by laws and regulations governing the type of election being conducted. Specific information on various publications is available in Chapter II of the Kansas Election Standards.

The major types of publications are:

1. Notice of election—Public notice of an election is usually given by publication in a newspaper in the jurisdiction affected by the election. The dates and frequency of the publication are often contained in the specific statutes

governing the election, but if not, K.S.A. 25-105 contains general rules for all regularly scheduled general elections and special question submitted elections.

The format of publications is usually not specified in law. Often CEOs adapt previously-published notices to fit the current situation and submit the publication to the newspapers.

- 2. Notice of close of registration—Voter registration is closed for the 20 days leading up to an election and on election day. The CEO must publish notice of the close of registration by the tenth day before registration closes. The format of this publication is contained in an administrative regulation. The Secretary of State sends an official notice of the close of registration to each CEO prior to the 60th day before any primary or general election. Receipt of the notice constitutes a directive for the CEO to publish the notice according to the regulation.
- 3. Division of township into precincts—If a CEO divides a township into one or more precincts, a publication must be made once each week for three consecutive weeks to notify the voting public of the change.

D. Voting equipment

Each county is responsible for choosing, purchasing and deploying its own voting equipment from a list of systems certified by the Secretary of State. Since HAVA was passed in 2002, some of the cost of voting equipment has been defrayed by using federal funds, particularly the equipment purchased to meet the HAVA requirement that each polling place have at least one fully accessible, ADA compliant voting device.

1. Types

There are three major types of voting systems used in Kansas:

- direct recording electronic (DRE)
- optical scan
 - · precinct count
 - · central count
- hand-counted paper ballots

2. Certification

Before any voting system, equipment or software may be purchased or used by a county, it must be certified by the Secretary of State. Manufacturers and vendors apply directly to the Secretary of State to have their systems reviewed and certified.

3. HAVA-compliant DREs

HAVA requires each polling place in each county to provide at least one DRE voting machine that allows voters with disabilities to vote independently. Before HAVA, visually impaired voters received assistance from another person or from a poll worker. The HAVA-compliant equipment allows voters with disabilities to cast their ballots in secret and without assistance through the use of an audio ballot and adjustable equipment or they may choose to vote with assistance

4. Voting system security

The Secretary of State and the Kansas County Clerks and Election Officials Association have adopted a voting system security policy to increase security in the maintenance, storage and use of voting systems of all types. The security policy includes the following components. More detail is available in the Kansas Election Standards.

Components of voting system security

a. Access to the system – The voting system should not be connected to any computer network or to the Internet. There should be strict procedures that control who has access to the election system,

when, and what components and functions they are allowed to access.

- b. Transmitting data Results from elections may not be sent from polling places to election offices via modem, network, phone line, cable, or any other electronic form of file transmission. Results may be sent to the Secretary of State only via secure electronic means.
- c. Testing voting equipment Voting equipment must be tested when it is first received from the vendor. All functions that will be necessary to conduct an election must be tested. Prior to use in an election, each voting machine shall undergo system diagnostics to ensure proper operation of certified components.
- d. Polling place security Many polling places in Kansas do not provide an ideal security environment for voting systems. The county election officer should, to the extent possible, designate polling sites that provide the necessary security features and should maximize the use of whatever security features exist. Access to equipment, memory cards and other components of the voting system must be strictly controlled.
- e. Equipment storage The first line of defense in any system is physical security. When not in use, all election equipment should be stored in a locked room. Access to the room should be limited to election officials and authorized county officials or technicians.

E. Ballots

The CEO is responsible for preparing, printing and distributing ballots for any official election. The format of the ballots is determined by statute, and the Secretary of State sends ballot forms to each county before major elections. The CEO chooses a printer to prepare ballots. Some use a local newspaper or other publisher, some use a vendor that supplies voting equipment and election supplies, and some that use hand-counted paper ballots print their own ballots on computer printers and photocopy them as needed.

Ballot preparation for candidate elections begins as soon as pos-

sible after the candidate filing deadline has passed and the required period for determining the validity of filings has elapsed. The CEO must receive ballots from the printer at least five days before the election to allow time for inspection by candidates and their agents. As a practical matter, though, the ballots must be printed before the beginning of advance voting 20 days before the election. The format for advance voting ballots and regular ballots is the same.

A general rule is to allow at least three weeks for ballot preparation. The deadline for distribution of federal services ballots, 45 days before the election, sometimes requires a separate ballot prepared on a personal computer and photocopied as needed.

1. Write-in lines

Write-in lines are required to be printed on ballots for each race *except* in:

- the presidential preference primary,
- national/state primaries where 1 or more candidates are on the ballot.
- · city/school/community college primaries, and
- question submitted elections.

NOTE: An exception to these rules for write-in lines is the election of precinct committee persons in the Democratic and Republican parties at state primary elections. Write-in lines are always included for these positions because they are *elected* at the primary, not nominated.

When write-in lines are required, the number of lines equals the number of positions being elected or nominated.

2. Ballot rotation

Kansas is among the states that require ballot rotation. This is an important consideration in ballot preparation because of the additional cost and complexity. The fundamental rule of rotation is that each candidate's name must appear at the top of the list of candidates for that office on an equal number of ballots throughout

the election district. This requirement is based on the assumption that there is an advantage to having one's name appear at the top of the list. The assumption is that voters are more likely to vote for the first name listed than for names farther down the list.

Rotation produces many different ballot styles, each of which causes a different setup by the printer.

- a. Rotation by the Secretary of State For each of the statewide federal offices, statewide state offices, congressional, state legislative, state board of education and some judicial offices, the Secretary of State rotates the candidates' names using *entire counties* as the building blocks according to the following procedure:
 - List the counties in the district in alphabetical order.
 - Include the number of registered voters in each county beside the county's name. In primary elections, list the number of registered Democrats or Republicans, as the case may be, for each party's rotation schedule.
 - Group the counties into as many segments as there are candidates. Each group of counties must have approximately the same number of registered voters as the others. The policy of the Secretary of State is to allow no more than a 0.5% deviation from the ideal number.
 - If an equitable breakdown cannot be made because of disparities in the number of registered voters (or party affiliates, in the case of a primary), the Secretary of State issues an "order to rotate" to the counties involved. The counties then rotate the names on a precinct basis.

NOTE: Counties using DRE voting systems must rotate by precinct regardless of the Secretary of State's rotation.

b. Rotation by the County Election Officer – For each local office except precinct committee positions, and for each state or national office for which the Secretary of State has issued an order to rotate, the CEO rotates the candidates' names using *entire pre-*

cincts as the building blocks according to the following procedure:

- List the precincts in the district in alphabetical or numerical order.
- Include the number of registered voters in each precinct beside the precinct's name. In primary elections, list the number of registered Democrats or Republicans, as the case may be, for each party's rotation schedule.
- Group the precincts into as many segments as there are candidates. Each group of precincts must have approximately the same number of registered voters as the others.
- If an equitable breakdown cannot be made because of disparities in the number of registered voters (or party affiliates, in the case of a primary), some county election officers choose to adjust the order of precincts to achieve a more equitable breakdown. However, others do not adjust the order of precincts. Their ballots are rotated with the most equal distribution possible using the precincts listed in the regular alphabetical or numerical order.

NOTE: CEOs design their own rotation schemes for 1st and 2nd class city elections. Due to the irregular shape of many school districts and the member districts within school districts and community college districts, precincts are not required to be used for rotation in school and community college elections. Ballots for 3rd class city elections are not required to be rotated.

F. Choosing polling places

The CEO determines precinct boundaries within the guidelines of the U.S. Census Bureau and state laws. One limitation is that a precinct may not contain more than one township, although townships may be subdivided into more than one precinct. The CEO also determines the voting area served by each polling place. Often the voting area served by a given polling place is a single precinct, but multiple precincts may vote at the same polling place if the

county election officer chooses. In such cases, however, separate ballots and tallies must be maintained for each precinct. It is recommended, but not required, that a separate election board be appointed for each precinct to minimize the chance of errors in ballot distribution.

Many polling places are in public buildings, but they may be in private facilities if needed. Often the CEO must rent the buildings, but at any rate permission must be secured before using them.

Accessibility

Polling places are considered public accommodations while they are used for voting, and as such they must meet normal accessibility requirements. Since passage of the Americans with Disabilities Act, CEOs have been responsible for ensuring that polling places meet ADA requirements, even though the ADA contains no requirements applying specifically to polling places.

HAVA focuses increased attention on polling place accessibility for individuals with disabilities and has provided some resources for improving accessibility.

Accessibility is improved two ways under HAVA: physical access to the polling place and access to the ballot.

More information on accessibility is included in Chapter 7.

G. Election boards

All the planning for an election culminates in voters receiving and marking their ballots. The average voter spends only a few minutes in the polling place, and the voter's experience with the members of the election board often determines a successful voting experience. Effective and well-trained poll workers can make voting a positive experience and reduce or eliminate errors.

1. Appointing poll workers

The CEO is responsible for appointing, training and equipping

members of the election board in each precinct or voting area. Each election board is usually composed of three or more members with one supervising judge, one or more judges, and clerks. The board may be as small as two members in a precinct of fewer than 50 registered voters with a polling place more than 10 miles from the nearest polling place. The members of the board, excluding the supervising judge, are required to represent a mix of political parties, but sometimes it is difficult or impossible to obtain an adequate number of board members of different political affiliations.

Finding and keeping an adequate pool of trained poll workers is a perennial challenge for election officers everywhere. Some creative methods have been used successfully, such as sponsorships of polls, assignment of county employees as board workers, and the use of teenage poll workers.

According to the law, poll workers are to be appointed at least 10 days before the election, but withdrawals and additions may occur until election day. Before assuming their duties, poll workers are required to take an oath or affirmation. The Secretary of State prescribes Form EO for this purpose. Oaths/affirmations are filed with the CEO.

2. Qualifications of poll workers

- a. Poll workers must:
 - have the qualifications of Kansas electors:
 - · U.S. citizens,
 - · 18 years of age or older, and
 - · residents of Kansas
 - reside in the area served by the polling place where assigned (unless it becomes necessary for the CEO to appoint them in another precinct due to a shortage of poll workers; in such cases they are allowed to vote advance ballots due to their absence from their precincts on election day.)
 - be trained

b. Poll workers may:

- be candidates for political party precinct committee positions on the ballot
- be spouses or relatives of candidates on the ballot

c. Poll workers must not:

• be candidates on the ballot at the election in which they work, except as noted above

3. Sources of poll workers

- a. County party chairs County chairs of the two major political parties are directed by law to furnish names of poll workers to the CEO. The CEO is required to appoint these nominees to the election boards in their respective precincts of residence, "if such persons can qualify and if such recommendations are timely." In case the number of recommendations from the county party chairs is insufficient to fill all the positions, or if one or more of the recommendations is unqualified or incapable of performing the duties required, the CEO maintains a pool of trained poll workers for appointment as needed.
- b. Retirees As a practical matter, many poll workers are retired persons because they are able to commit the time to work at the election due to fewer job commitments and other constraints on their time.
- c. Teenage poll workers The CEO is authorized to appoint one 16- or 17-year-old person to work on each election board. Any such teenage poll workers must possess the other qualifications of being registered voters except age. Teenage poll workers should be appointed based on an informal agreement between the CEO and school officials, ensuring that the teenage volunteers are in good academic standing at school. Some schools have allowed students to receive credit on classroom projects for their work on election day. Each county decides whether or not to pay the students.
- d. Sponsorship of polls States and counties are encouraged to employ creative ways to find more good poll workers. Public and

private entities have either provided workers or have undertaken the sponsorship of a polling place, providing workers as well as transportation and food for the election boards. Some workers may be supplied as volunteers, or if the office that employs them agrees to pay their regular salaries, the election office saves the cost of their election board wages.

Some examples are:

- County, city and other government agencies other than the election office
- Service organizations such as Kiwanis, Lions and Rotary Clubs
- Chambers of Commerce
- Corporations

H. Managing Poll Workers

In addition to recruiting poll workers, the CEO maintains records of their employment, including:

- Assignment to precinct
- Training completed
- Hours worked each election
- Pay

ELVIS, the statewide computerized voter registration system, includes a poll worker management component to automate recordkeeping.

Pay

The pay of election judges and clerks is set by a resolution adopted by the board of county commissioners in each county. It may not be less than \$40 per day in counties using voting machines nor less than \$3 per hour in counties not using machines. Most counties pay at least the federal minimum wage. Supervising judges are entitled to receive additional pay, and they receive mileage expenses at the state rate.

Through a combination of federal and state laws, the first \$1,000 of each poll worker's pay each year is exempt from with-holding for unemployment compensation, workers compensation, FICA and federal income tax. Annual wages up to \$600 are not required to be reported to the Internal Revenue Service.

I. Training Poll Workers

Everyone wants smooth and well-run elections, including candidates, parties, voters and CEOs. It is not an overstatement to say that the entire democratic system relies on poll workers—they are the street-level deliverers of voting services. Part of the difficulty of poll workers' jobs is that usually they perform their election duties only twice a year, often with only a few hours of training.

Poll workers today have more duties and face more complexity than ever before. There is more technology at the polling place, photo ID is required, provisional voting procedures have changed, second chance voting requirements have been added, there is a greater emphasis on compliance with the ADA, and there are more requirements for notifying voters of their rights and educating them about the voting procedure than before.

The need for accurate and effective training is greater than ever. The Secretary of State's office provides a basic curriculum that CEOs are advised to include in their training programs. Most CEOs find it necessary to add to this basic curriculum, including county-specific plans and information about the particular voting system used in the county. Many have also used information provided by their voting equipment vendors to assist them in communicating to their poll workers the necessary elements of effective voting equipment operation. Also, there are vendors with training programs for certain types of voting systems or certain aspects of voting, such as voting by persons with disabilities.

Each CEO must provide written instructions, usually in the form of a manual, to each election board. The instructions can be

used at any time but are particularly useful when poll workers are faced with an unusual situation or cannot remember the poll worker instructions given at the training session.

The main thrust of the training program is to promote consistency and uniformity of procedures.

J. Authority of Election Boards

Election boards are required to comply with all statutes and regulations governing voting procedures. At the same time, they are required to *enforce* the rules for voting in their polling place and within a 250-foot radius of the entrance. The CEO and the supervising judge have control over the polling place and may restrict activities if they hinder or impede the voting process. This may include activities of authorized poll agents, members of the press, exit pollsters, candidates, or voters not immediately involved in the act of voting. In setting the rules for the polling place, the main concern is to preserve the ability of voters to receive their ballots and cast them in secrecy. To that end, they must prevent unauthorized access to ballots and prevent electioneering.

K. Accessibility for Poll Workers with Disabilities

Poll workers with disabilities must be provided accessible facilities according to their needs, including rest rooms. They may be assigned to polling places in precincts other than where they live if necessary.

L. Poll Books

Just as the voter registration list is the basis for the entire election process, the poll book is the basis for conducting the election at the precinct polling place. The CEO must do everything possible to provide the election board with an accurate, up to date poll

book including the following information:

- Who is eligible to vote at that precinct and polling place in that election
- What each voter's party affiliation is (in partisan primary elections)
- Who has applied for and returned an advance ballot before the election
- Who is exempt from the photo ID requirement

The poll book must be printed with the voter's declaration printed on each page. Each line must provide a space for the voter's signature.

Some counties use electronic poll books. Electronic poll books have some advantages, one being that the entire county's voter list can be loaded onto the poll book, and voters who are in the wrong polling place may be directed to the correct place to vote. Another advantage is the ability to scan a driver's license and bring up the voter's name on the screen. Two things to keep in mind: (1) electronic poll books cannot scan ID documents other than driver's licenses, and (2) scanning the driver's license does not verify the validity of the document. It merely automates the retrieval of the voter's name and other information from the database.

Electronic poll books may be equipped with electronic signature pads, and signatures and voting history can be automatically uploaded to the ELVIS database after the election. If signature pads are not used, paper poll books are needed to collect voters' signatures.

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Chapter 4

Advance Voting / Federal Services Absentee Voting

Two distinct types of voting, advance voting and federal services absentee voting, require special consideration by the CEO. In these cases, ballots are applied for, distributed and collected before election day. They may even be partially processed before election day, although tabulations and vote totals are not allowed until the regular ballots are counted after the polls close on election day.

A. Advance voting

Kansas is one of a growing number of states that have adopted early voting systems to encourage higher voter turnout and to make voting more convenient and accessible. Any registered voter may choose to vote before election day by mail or in person. Advance voting is in effect for all official elections conducted by the CEO.

1. Periods of advance voting

The CEO is required to begin transmitting *mailed* advance ballots on the twentieth day before the election, but no earlier. *Inperson* advance voting may take place in the election office or at a satellite advance voting site. In-person advance voting must begin on Tuesday one week before election day, but may begin earlier, any time up to 20 days before the election.

2. Process

The advance voting process may be divided into four phases:

- a. applying for ballots,
- b. transmitting ballots,
- c. casting ballots, and
- d. canvassing.

Chapter 4: Advance Voting / Federal Services Absentee Voting

a. Applying for Advance Ballots — No advance ballot may be issued to any voter unless the voter has signed an application for a ballot. This may be done through the mail, by fax, by email attachment, or in person. There are no restrictions on who may distribute blank applications. Individuals, groups, political parties and candidates may distribute them through the mail or door to door. If such private individuals or groups collect signed applications and submit them to the county election office for the voters, the applications must be transmitted to the election office within two business days of signing.

One of the advance ballot security measures codified in 2011 requires that voters sign their own ballot applications. (For more information on these security measures, see "Casting Advance Ballots" below.) Individuals are prohibited from signing applications for other individuals and causing ballots to be mailed to voters without their knowledge.

b. Alternative Signatures – The exception to the signature rule is that voters with illnesses or disabilities who have difficulty signing may receive assistance with proper authorization. Proper authorization includes situations where an individual has signed and filed with the CEO an Affidavit of Assistance (Form AV5) or has been directed by the voter to sign for him/her.

Also, a voter's signature may be made by a "mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding."

c. Poll Books and Signatures – For in-person advance voting in the election office or at a satellite advance voting site, many CEOs have designed a log book with the required language of the application at the top of each page with lines for voters' signatures below. This reduces the amount of paper in the files.

A number of counties have adopted the use of electronic poll books for use at in-person advance voting sites or at polling places on election day. E-poll books take the place of the paper poll book

and provide more information from voters' records to assist election officials and also offer the capability of uploading voter history to automate and simplify the task of maintaining records of who has voted. Signatures can be captured on an optional add-on signature pad. If so, the statement that voters are required to sign when obtaining a ballot must be included. If electronic signatures are not collected, a paper poll book is required to collect voters' signatures.

The beginning of the application period for mailed advance ballots varies by the type of election, but the period is open at least 90 days in all cases. Applications filed before the opening of the application period should be held by the CEO and processed when ballots are ready for distribution. The end of the application period for mailed advance ballots is always the Friday before the election, although in many situations the applications need to be submitted earlier to allow sufficient time for mailing the ballots and returning them. The deadline for applying for and casting in-person advance ballots is noon the day before the election. Voters with illnesses or disabilities or who are not proficient in reading English are exceptions to this deadline; they may cast their advance ballots until the close of polls on election day. For in-person advance voting, the application period is the same as the voting period, which may begin as early as 20 days and as late as seven days before the election.

The application form for regular advance ballots is prescribed in law. A separate form, Form AV1M (M is for mail) is available for mailed advance ballots, and Form AV1P (P is for person) is available for in-person advance voting. A universal form, Form AV1C, (C is for combined) may be used for either mail or in-person voting. Forms are available on request from any election office, on the Secretary of State's web site at www.sos.ks.gov, and on some CEOs' sites.

d. Identification Requirements for Advance Voters – A person voting in person in the county election office or at a satellite site is treated the same as a regular voter at the polling place on election day. A person voting by mail may write his or her driver's

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license number on the application form or submit a copy of valid identification with the ballot application. If provided, the driver's license number is checked against the voter registration list verified by DMV. If the information matches, the voter's identification requirements have been satisfied and no further identification is required of that voter. If a vote provides a copy of a photo ID instead of his/her driver's license number, the CEO verifies the information on the ID document using the voter's voter registration record.

If an advance voter fails to provide identification information, or if the information provided is not valid, the CEO is instructed by law to contact the voter to obtain the necessary information. If that is unsuccessful, the CEO may issue a provisional ballot, but the ballot is not considered valid unless the voter submits identification sometime before the county canvass.

A regulation adopted in 2012 specifies the process for verifying signatures of advance voters. [KAR 7-36-7]

- e. Electronic or Faxed Applications A voter may electronically transmit the signed application form to the election office by facsimile or email attachment. Thus, the blank application may be faxed or emailed to the voter and the signed application may be faxed or emailed back to the election office. However, this does not permit the faxing of ballots, either blank or marked. Under federal and state laws, the only voters who may electronically receive and return their ballots are military and overseas voters who qualify under the federal Uniformed and Overseas Citizens Absentee Voting Act.
- f. Specific Categories: Permanent and Assisted Advance Voting
 The laws provide two special application procedures for voters with temporary or permanent illnesses and disabilities.
- i. Permanent advance voting A person with a permanent illness or disability may apply at any time to the county election officer for permanent advance voting status. Form AV2 is designed for this. Once a voter obtains permanent status, the CEO automatically sends the voter an advance ballot every election without the

voter having to renew the application each time. The voter must specify the nature of the permanent physical disability or illness that makes it difficult or impossible for the voter to go to the regular polling place to cast a ballot. A permanent advance voting applicant is not required to furnish a physician's records or signature, but the voter must sign an affirmation on the form. The applicant should be specific as to the nature of the illness or disability; using "age" or "failing health" is not adequate.

Permanent advance voters vote under KSA 25-1122(h).

Identification requirements—Permanent advance voters are not subject to the photographic identification requirements. [KSA 25-2908(i)]

If a permanent advance voter goes to the polling place on election day and attempts to vote, the voter should be designated as "advance voter" on the poll book and should be issued a provisional ballot.

Permanent advance list maintenance

The CEO is required by law to maintain a separate list of permanent advance voters for public inspection.

Sometimes permanent advance voters whose physical conditions worsen over time fail to return their ballots. The CEO may send cancellation notices to permanent advance voters who have failed to return their ballots for two consecutive national/state general elections. The notice tells the voters that their names will be removed from the permanent list unless they renew their application for permanent status within thirty days after the date the notice was mailed. Any such permanent advance voters who reapply for permanent status are reinstated; those who do not are removed from the list of permanent advance voters. Loss of permanent status does not affect voter registration; such persons remain registered voters in the county and precinct where registered unless canceled for a separate reason.

A permanent advance voter may be removed from the permanent list by submitting a written, signed request to the CEO.

ii. Sick/disabled advance voting - A voter who has a temporary illness or disability or who is not proficient in reading the English language may receive assistance in applying for, marking and returning his or her advance ballot. This might apply to persons on the permanent list or to persons who are temporarily sick or disabled, such as hospitalized persons. If the voter requests the assistance of another person, the person rendering assistance must file a statement with the CEO stating that they assisted the sick/ disabled voter and that they did not exercise undue influence on the sick/disabled voter's decisions. Form AV5, "Affidavit of Assistance," was prescribed by the Secretary of State for this purpose. The affidavit may be filed with the CEO before the ballot application process or it may be returned with the application and ballot. It is important that the affidavit of assistance provide the name of the voter who is receiving the assistance. A separate affidavit must be filed for each voter. The affidavit does not replace the application for the advance ballot; the sick/disabled voter is still required to sign an application form, but the person rendering assistance is authorized to assist the voter in the application process, carry the ballot to the voter, assist the voter in marking the ballot if needed, and mail the ballot or deliver it to the election office.

Sick/disabled/non-English proficient advance voters have a special application deadline. They may apply for ballots any time during the regular application period through election day until the hour the polls close.

Identification requirements—Sick/disabled/non-English proficient advance voters are *not* exempt from the photo ID requirement. These voters vote under KSA 25-1124(b), whereas permanent advance voters vote under KSA 25-1122(h).

g. Power of Attorney – Although a person may assist a sick or disabled voter in applying for, marking and returning a ballot, the act of voting may not be done by power of attorney. A voter may not cede his or her vote to another person. A voter may receive assistance from another person, including the actual marking of the

ballot, but the process is done by direction of the voter, with the voter's knowledge and consent.

h. Replacement Ballots – If a voter has applied for an advance ballot and the ballot is destroyed, spoiled, lost or not received by the voter, the voter may apply for a replacement ballot. Any such replacement ballot issued by the CEO must be a provisional ballot. The regular advance ballot application deadlines apply in all such instances. Although the law does not specifically require a written request in such cases, the Secretary of State developed Form AV6, called the "Request for Replacement Advance Voting Ballot," for this purpose.

3. Transmitting advance ballots

If signed applications are received in the election office before the twenty-day advance voting period, the CEO holds them until advance voting begins. When applications are received during the advance voting period, the CEO must send the ballots within two business days of receipt of properly completed and signed applications.

Advance ballots are mailed with voting instructions and a return envelope. Outgoing postage is paid by the county, but counties are not required to pay return postage, although some have chosen to do so as a voting incentive.

4. Casting advance ballots

a. Mailed Advance Ballots — Upon receipt of a mailed advance ballot, the voter marks it and personally encloses it in the return envelope. The voter must sign the statement on the outside of the envelope saying that he/she personally marked the ballot and enclosed it in the envelope and that he/she has not voted another ballot at that election. The law says that if the statement on the envelope is not signed, the ballot does not count.

Security of mailed advance ballots

Ballots sent through the mail are inherently the least secure

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ballots in the electoral system because the election officer does not control who handles them. In all in-person voting situations—at the polling place, advance ballots cast in the election office, and advance ballots cast at satellite advance voting sites—the ballot is given to the voter by a trained, sworn poll worker and returned by the voter directly to the poll worker.

Security provisions adopted in the law in 2011 establish procedures to create a trail of custody of mailed ballots. Here are the security requirements:

- (1) Advance voters who vote by mail must personally sign their ballot applications.
- (2) If by-mail advance voters wish to have other persons mail or deliver their ballots to the election office, they must designate the delivery persons *in writing*. This may be done by completing a section on the advance ballot return envelope, or it may be a separate form enclosed with the ballot.
- (3) Designated ballot delivery persons must sign statements that they (a) did not unduly influence the voter's decisions and (b) will mail or deliver the ballots as directed by the voters.
- b. In-Person Advance Ballots The voter who wishes to vote in person in the election office or at a satellite site must first sign the application, provide photo ID, then mark the ballot and deposit it in the ballot box. Some optical scan systems allow the voter to insert the ballot into the scanner. No matter what type of ballot is used (except electronic voting), as a guarantee of secrecy the voter has a right to request an envelope to seal the ballot in before depositing it in the ballot box.

All advance ballots must be received in the county election office before the close of polling hours on election day in order to be valid.

If a voter has received an advance ballot but decides to vote at the regular polling place, the voter may return the unvoted advance ballot to the election board at the voter's regular polling place and vote a provisional ballot. The election board voids the advance ballot.

Satellite Advance Voting

In-person advance voting may be conducted in the county election office or at satellite advance voting sites. It is up to the CEO whether to have satellite voting, where the sites are, and how many days it will be offered. Satellite sites operate under the same rules as voting in the election office, including the presence of election boards appointed and trained by the CEO.

Advance Voting Lists

The CEO is required to maintain a list of all voters who have applied for and returned advance ballots. The list is available for public inspection by registered voters. If a registered voter asks to view the list, the CEO must first require the person to provide the person's name, address, signature, date and time of inspection on a log book. Also, the person must show a driver's license or other reliable identification to the CEO. The CEO may charge a reasonable fee for copies of records.

A list for each precinct is sent to the polling place on election day to enable the poll workers to prevent voters from casting a second ballot at the polling place after having already voted in advance. In most cases this is an "advance voter" designation on the poll book next to each advance voter's name rather than a separate list.

5. Canvassing advance ballots

The CEO appoints a special election board to count advance ballots. The special board conducts the original canvass of advance ballots. The CEO delivers the ballots to the election board after the ballots have been collected. No ballots received after the close of polls on election day are counted. It is strongly recommended that the CEO provide *written* instructions to the special election board. Written instructions are always recommended for anyone who handles ballots.

A mailed ballot returned in an unsigned envelope is not counted. Advance ballots should be checked against the poll books to ensure that no voter casts two ballots—one in advance and one at the polling place.

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In counties using optical scan equipment, it is permissible to scan the ballots and store the data, but no vote totals may be tabulated or disseminated until after the polls close on election day.

The special election board may challenge ballots if they are mismarked or the voter's intent is unclear. These challenged ballots are referred as provisional ballots to the county board of canvassers for final decisions.

If a voter casts an advance ballot without having submitted photo ID or, in the case of a by-mail advance voter, submitting a driver's license number, the ballot is invalid and is not to be counted by the county canvassing board. The voter may submit a valid ID document to the CEO before the beginning of the county canvass in order to have the ballot count.

B. Federal services absentee voting (UOCAVA)

A federal law called the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) guarantees voting rights for military personnel, serving either domestically or abroad, and civilian U.S. citizens living abroad. Election officers in all states must pay special attention to this category of voters.

The UOCAVA is administered by the Federal Voting Assistance Program (FVAP), which is part of the Department of Defense in Washington, D.C.

1. Secretary of State-designated oversight agency

State law designates the Secretary of State as the single agency responsible for providing information on registration and absentee ballot procedures, as required by HAVA. The county election office continues to be the place where ballot applications (Federal Post Card Applications, or FPCAs) are filed and from which ballots are issued and to which they are returned. If applications or ballots are received in the Secretary of State's office they are forwarded as soon as possible to the correct county election office.

2. Ballot applications

The law allows absentee voters who qualify to vote under UO-CAVA to apply for ballots to the CEO in the county they consider their county of residence. It is not necessary for them to be registered to vote in the county where they request a ballot, although many are.

The ballot application form designed by the FVAP for this purpose is called the Federal Post Card Application (FPCA). A federal services voter who files an application any time on or after January 1 in a given year automatically receives a ballot in any election at which the person is entitled to vote in that calendar year. There is no statutory deadline for applications to be submitted, but they must be submitted early enough to allow transmittal time to and from the voter, and many federal services voters are in remote locations, so ample transmittal time must be built in.

UOCAVA voters indicate on their FPCAs which method of ballot distribution they prefer—US mail, fax, or email. If the voter does not indicate a preference, the ballot is sent by US mail.

3. Voting eligibility

Although UOCAVA voters are not required to be registered to vote in the counties where they apply for their ballots, they must possess the constitutional qualifications of electors. They are eligible to vote in all elections held in districts containing their residence addresses.

4. No identification requirements

Kansas photo ID requirements do not apply to UOCAVA voters.

5. Ballot distribution

Federal services ballots must be mailed by CEOs to the voters by the 45th day before the election. This deadline is set in federal and state law, and it is the earliest of any ballot deadlines. It is the first major deadline election officers face in preparing for an election.

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When ballot applications are submitted to the CEO less than 45 days before an election, the ballot must be mailed within two days of receipt of the application.

Ballots are mailed in outgoing envelopes with voter instructions and return envelopes included. The FVAP prescribes the format of the envelopes, and the Secretary of State prints and distributes the envelopes to CEOs according to their requests.

The Secretary of State's office also prepares a sample set of voter instructions, called Form FS3, "Instructions for Voting Federal Services Absentee Ballot." CEOs reproduce the instructions as needed for inclusion with outgoing ballots.

Some election officers also include a copy of Form S1F, "Affidavit of Federal Services Facsimile Voter," to enable the voter to fax or email the ballot if needed. Enclosing the form is not required, but it helps the voter in some cases when the time remaining to return the ballot runs short due to slow mail delivery to overseas locations.

The voter must sign a statement on the return envelope before sending the ballot back to the election office. Ballots in unsigned envelopes are provisional and should not be counted.

6. Electronic transmission of applications and ballots

Federal and state laws allow UOCAVA voters to receive and return their ballots by fax, email or other electronic means to save time in receiving and returning the ballot. "Other electronic means" must be approved by the Secretary of State.

This applies to:

military voters, their spouses and dependents, and

civilian voters living outside the United States, their spouses and dependents.

They must submit a signed statement along with the ballot saying that by faxing or emailing their ballot they are knowingly waiving their right to secrecy. Faxing or emailing of applications and ballots is done at the request of the voter.

If a federal services voter does not request faxing or emailing, the ballot is mailed.

7. Deadline for casting ballots

Federal services absentee ballots must be received in the county election office before the close of polls on election day in order to be counted and included in the official election results.

8. Canvassing ballots

These ballots must be counted, tabulated and reported along with the regular election results using the same procedures as are used for all other ballots. CEOs must take measures to ensure that such voters do not vote twice, the same as they do for advance voters.

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Chapter 5Polling Place Management / Voting

The procedure used on election day whereby voters receive, mark and cast their ballots is the main contact most voters have with the electoral process. If all goes well, the planning, preparation and training by the election officer culminate in well-trained poll workers and an uneventful experience for the voters. Following is a discussion of effective polling place management and voting procedures used in Kansas. Each CEO may adapt them to fit the characteristics of the county or the polling place.

A. Polling place management

Effective polling place management must be emphasized to promote an orderly voting process. This emphasis on management is the result of recent trends, including:

- Increases in certain types of activity that must be regulated, including authorized poll agents, electioneering, and certain types of activities by candidates and campaigns
- Increased scrutiny of the process by candidates and their legal representatives with the potential for recounts and court contests
- Increasing instances of close races in some areas, resulting in greater focus on procedures, provisional ballots, advance ballots, and the ballot tabulation process
- Increased awareness of voting equipment, voting procedures and voting rights due to HAVA
- Increased availability of information about the electoral process

1. Major themes of polling place management

• The purpose of the polling place is to allow voters to cast

their ballots.

- The polling place is for voters and poll workers. Others are allowed to be there, but their activities may be limited.
- The polling place is controlled by the supervising judge and the county election officer.

There are very few things more important in our society than stable and accurate elections, and the voting public expects efficient administration of elections to ensure their constitutional rights. These expectations, coupled with the factors cited above, lead to a need for constant attention to the procedures followed by election officials and consistent attempts to improve them.

Polling place management is related to other areas addressed in this training guide, including electioneering and other election crimes, tightening procedures in canvassing ballots, and advance voting.

Polling place management may be improved by attending to factors explained below: county policies, authority of supervising judges and election boards, and authorized poll agents.

2. County policies

The county election officer has the authority under Kansas law to set policies for polling places in the county. This is done with attention to existing federal and state laws and guidance provided by the Secretary of State and the county attorney or counselor. K.S.A. 25-2810(a) states that "each election board shall have the control of its voting place and election procedure under the sole supervision of the secretary of state, county election officer, deputy county election officer and the supervising judge."

It is important to remember that polling places are for voting, and the only persons there without special permission are voters and poll workers. Others are present only if authorized by law or by permission of the CEO, and only if they do not disrupt or impede the voting process or commit crimes such as electioneering, voter intimidation, disorderly conduct or bribery. Such individu-

als may include poll agents, media, Kids Voting participants, or observers.

Once the CEO has adopted policies for an orderly voting process, the CEO is charged with the duties of training poll workers to carry out the policies and emphasizing to supervising judges the need for firm control of polling places.

3. Guns / cell phones / Bluetooth devices

A new area of concern in the management of polling places is the issue of banning guns, cell phones and Bluetooth devices. CEOs may adopt policies banning these devices under their statutory authority to regulate activities at polling places.

State laws authorizing concealed carry of handguns allow owners and managers of public and private property to post signs banning handguns. The prescribed sign may be found on the Attorney General's web site at **www.ag.ks.gov.** Further, K.S.A. 75-7c10(a) specifically excludes firearms from polling places on the day of an election, schools, attendance centers, administrative offices, community colleges or universities, public libraries operated by the state, and churches.

Some states have passed laws banning cell phones from polling places. Kansas has no such law, but CEOs have general authority to regulate activities at polling places. The reasoning behind such a policy is that cell phones can be used to communicate with others on ballot issues, which may constitute electioneering, and many cell phones are equipped with cameras that could be used by a voter to photograph his/her ballot, which would encourage election fraud just as if the voter were allowed to take an actual ballot from the polling place.

Bluetooth devices enable wireless communication, and some people are concerned that any device capable of wireless transmission could be used to disrupt the operation of voting equipment. This has not been proven, but if the public perceives it as a possibility it is detrimental to the electoral process.

4. Promotional activities

Some CEOs receive requests from organizations wishing to promote certain activities in conjunction with elections. Examples include bake sales, blood drives and immunization drives. The SOS has advised CEOs in such circumstances to observe the rule for electioneering—such activities should not be allowed within a 250 foot radius of any polling place. If groups gather at the polling place for non-election related activities, it can be disruptive to the voting process and encourage discussion of ballot issues, which is prohibited by the electioneering law.

5. Supervising judge authority

The supervising judge acts under authority of state law in Article 28 of Chapter 25 of the Kansas Statutes Annotated. The general requirements of the law, coupled with specific policies set by the CEO, provide the framework for administering the supervising judge's duties. The major objective of the supervising judge is to operate the polling place in a manner that ensures an orderly voting process. An important component of an orderly voting process is that each voter has the opportunity to vote his/her ballot without interference, intimidation or interruption. No one should be allowed within three feet of a voting booth, voting machine or table where poll workers sit.

In managing the polling place, the supervising judge instructs other poll workers and has a right to know everything that occurs in the polling place and to know the reason for each individual's presence at the polling place. The supervising judge has the authority to ask individuals why they're there if this is not already known. Also, the judge has the duty to ask people to leave if they are breaking laws or policies; report any such occurrences to the CEO; and, if necessary, report illegal activities to law enforcement for investigation and possible prosecution.

The simple rule is that the supervising judge is in charge of the polling place and should be fair, firm and consistent, always acting

in accordance with laws, regulations, and policies of the Secretary of State and the CEO.

6. Authorized poll agents

Individuals present at the polling place for the purpose of observing the proceedings are generically referred to as poll watchers. In Kansas law they are referred to as authorized poll agents. Statutes governing their authorization, appointment and activities are K.S.A. 25-3004, 25-3005 and 25-3005a.

There has been a noticeable increase in the number of poll agents in Kansas in recent years, which sometimes brings with it an increase in complaints about their activities. Complaints range from electioneering to voter intimidation to disorderly election conduct. Some complaints are about overly aggressive behavior which sometimes does not cross the line into illegal activity.

These actions by poll agents stem from the fact that most poll agents have a vested interest in the outcome of the election—they represent political parties, candidates and campaign organizations. The closer an election is, or the more contentious the race, the more likely there will be poll agents appointed and the more likely they will make their presence known at the polling place.

More detailed information is available elsewhere in this manual regarding who may act as a poll agent, the appointment process, and the activities of poll agents.

B. Voting

The critical point of the election process is the point at which a poll worker hands the ballot to the voter and the voter marks the ballot and returns it to the poll worker. The process usually occurs without incident if voters are aware of the requirements before they enter the polling place and if poll workers are trained on the procedures.

Following are guidelines for the poll worker.

Procedure for Poll Worker

1. Ask each voter his/her name.

The name must match or be consistent with the name on the poll book and on the voter's ID document. See below.

2. Ask each voter for a photographic ID document.

Verify that the name is consistent with the name on the poll book, and that the photo on the ID document resembles the person standing before you.

If you are satisfied that the voter is the person depicted in the photo ID, write your initials in the space provided on the poll book.

Use the photographic ID only to verify the voter's name and appearance. Do not use it to verify the voter's address. Instead, use the poll book to verify the address the voter verbally provides you.

Return the ID document to the voter.

(See below for additional guidelines.)

3. Ask each voter his/her address.

Use the poll book to verify the name and address stated by the voter. If either is inconsistent, issue a provisional ballot. The address does not have to match the address on the voter's photo ID document.

4. Ask each voter to sign the poll book next to his/her name.

If a voter is physically unable to sign, a board member or a person of the voter's choice may sign the poll book at the voter's direction.

In situations where electronic poll books are used, signatures may be captured using an electronic signature pad instead of a paper poll book.

5. Issue a ballot to the voter.

If optical scan or paper ballots are used, direct the voter to an

unoccupied voting booth. If electronic voting machines are used, direct the voter to an unoccupied machine.

If there is a question about the voter's qualifications, including name, address, or photo ID, issue a provisional ballot.

6. Instruct the voter on how to cast the ballot, including the operation of voting equipment (if appropriate), special questions on the ballot, and races and questions printed on the back of the ballot.

Never provide information to voters about specific candidates, issues or write-in candidates.

The voter is limited to five minutes in the voting booth if other voters are waiting.

- 7. If the voter tears, defaces, mismarks or in any way spoils the ballot, the voter may request a replacement ballot up to two times, for a total of no more than three ballots issued to the same voter.
- 8. When the voter is finished voting, instruct the voter to deposit the ballot in the ballot box. If the county uses electronic voting, this is not necessary.

9. Second chance voting instructions

In counties using central count optical scan systems or handcounted paper ballots, a member of the election board must instruct each voter to make sure the ballot is complete, no races were overvoted, and no stray marks were made on the ballot that might obscure the voter's intent or invalidate the ballot. This also may be accomplished by posting a notice where each voter will see it during the act of voting or before casting the ballot. In counties using precinct count optical scan systems or electronic voting machines, the second chance voting requirement is met without special instructions.

10. Make notations on the poll book when voters receive assistance.

11. Keep track of void, objected to, and provisional ballots.

Whatever the situation, *never deny a voter a ballot*. Always give them at least a provisional ballot.

The only situations where a voter should leave without voting a ballot are:

- The voter chooses to leave without voting.
- The voter is in the wrong polling place and is going to the correct polling place or to the county election office to vote.

Advance ballots – If a voter has been sent an advance ballot before the election but has not returned it to the election office and wishes to vote at the precinct on election day, the voter may return the advance ballot to the polling place and vote a provisional ballot. The election board voids the advance ballot. The voter should be allowed to vote a provisional ballot even if the voter fails to return the advance ballot. If the county election officer determines after the election that the voter did not vote another ballot at that election, the provisional ballot should be counted unless there is another reason for not counting it.

C. Voter identification

1. Valid forms of photographic ID

- A driver's license or nondriver ID card issued by Kansas or by another state or district of the U.S.
- A concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the U.S.
- A U.S. passport
- An employee badge or ID document issued by a municipal,

county, state, or federal government office

- A military ID document issued by the U.S.
- A student ID card issued by an accredited postsecondary institution of education in the state of Kansas
- A public assistance ID card issued by a municipal, county, state, or federal government office

All except one of the ID documents listed in the law are government-issued documents. The exception is private college and university student ID cards. Although accredited, private colleges and universities are not considered government agencies.

See the appendix for examples of photo ID documents.

NOTE: A tribal member ID card issued by an Indian tribe recognized by the U.S. Department of the Interior might be added to the list of acceptable photo ID documents. Legislation is pending as of April, 2012. (Some tribal identification cards are issued to non-U.S. citizens. If you encounter this situation and there is doubt as to whether the voter is a U.S. citizen, issue a provisional ballot.)

2. Exemption from the ID requirement

Any person whose religious beliefs prohibit photographic identification may be exempted from the photo ID requirement. Any such person must complete and sign a Declaration of Religious Objection (Form DRO).

Some voters will file the forms with the Secretary of State or the county election officer before the election. In such cases the poll book shows "ID exempt" next to the voters' names.

Some voters may sign them at the polling place. You should have copies of Form DRO on hand.

This process is defined in a 2012 administration regulation, KAR 7-46-3.

3. Free ID cards

A registered voter who does not possess any of the approved

photo ID documents and who wishes to vote may apply to the Division of Motor Vehicles for a free nondriver's ID card. The person must sign a form containing an affidavit stating that he/she is registered to vote and does not possess a photo ID document. The person also must provide proof that he/she is registered to vote in Kansas. [KSA 8-1324(g)(2)]

This process serves only to waive the fee normally required by DMV for an ID card. It does not waive or relax the requirements to obtain the ID card, which include proving that one is a U.S. citizen and lawfully present in Kansas.

DMV provides a Certification Requesting Fee Waiver for Nondriver Identification Card (Form DE-VID1) for applicants who wish to request free ID cards.

Because these individuals still must provide documentation that they are citizens, if they do not possess any of the documents allowed as proof of U.S. citizenship, the Office of Vital Statistics in the Kansas Department of Health and Environment will provide one under the terms outlined in Section A6 of Chapter 2. After obtaining a free birth certificate, the person may proceed to a DMV office to apply for a free ID card, using the birth certificate to satisfy the documentation requirement.

See Chapter 2 for more information.

4. State ID document issued by Secretary of State

The Secretary of State adopted a policy and designed a procedure to ensure that a certain category of voters' provisional ballots will be counted. An individual may be included in the policy if the individual:

- is a registered voter in Kansas,
- does not possess a valid photographic identification document for voting purposes, as defined in K.S.A. 25-2908(h),
- does not possess any of the documents required by the Kansas Division of Motor Vehicles to obtain a free nondriver's identification card, and

• was born outside Kansas and therefore would be required to pay a fee to obtain a birth certificate or other qualifying document from another state, district or territory.

Any such person may apply to the county election office or to the Secretary of State's office for a photo ID document, which will be issued by the Secretary of State with a copy provided to the county election officer for submission to the county board of canvassers before the canvass of the election. The ID document is valid for six years after the date of issuance.

The application may be submitted at any time before the election or after casting a provisional ballot.

The poll worker must provide written information to any such voter at the time the voter casts his/her provisional ballot.

The CEO must take a digital photo of each applicant and electronically submit to the SOS office the photo, application form and any documentation submitted by the applicant.

Procedure for Voter

- 1. Contact the county election office or the Secretary of State's office for information about the procedure.
- 2. Visit the election office to
 - a. complete Form SID,
 - b. have a photograph taken,
 - c. submit documentation, if possible, that supports the premise that the person is a US citizen born outside Kansas,
 - d. submit documentation verifying the person's address. Documentation cited in (d) above may be: a utility bill, telephone bill, paycheck stub, bank statement, or government document indicating the person's name and address.
- 3. If application is made in the county election office, the election office shall forward the completed Form SID, all documentation submitted and the person's photograph to

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- the Secretary of State's office.
- 4. Upon receipt of the application and other information, the Secretary of State shall assess the validity of the of the application and shall either
 - a. issue a state ID document to be used only for the purpose of voting, or
 - b. issue a notice stating that the person's application was rejected, and the reason for the rejection.

Procedure for County Election Officer

- 1. Provide copies of the Provisional Ballot Receipt to each election board with instructions to hand them to each provisional voter.
- 2. If voters contact the election office about the procedure for applying for a free state ID document, assist them in completing the process by (a) providing Form SID, (b) taking digital photos, (c) collecting copies of any documents submitted by the voter, and (d) faxing or emailing the form, photo and documents to the SOS office.
- 3. Accept and file state ID documents or rejection notices from the SOS office. Present copies of such documents or notices to the county board of canvassers along with the provisional ballots for determination of the validity of the corresponding provisional ballots.

5. Guidelines for assessing photo ID documents

Here are guidelines for poll workers to follow in processing voters' ID documents. This information is intended to supplement Step 2 in the voting process outlined above in "Procedure for Poll Worker"

Name

Look at the name on the photo ID document to see if it is con-

sistent with (1) the name the voter states verbally and (2) the name on the poll book.

Allow for abbreviations and nicknames such as "Wm." or "Bill" for William

A voter might have a full middle name in one place and an initial in another, or the space for the middle name might be blank in one place.

If the names are "consistent," it means they exactly match or are similar and not contradictory. In such cases, issue the voter a regular ballot unless there is a reason to suspect the names do not represent the same person.

If the name on the ID document does not match or is inconsistent with the name the voter verbally states or with the voter's name on the poll book, issue a provisional ballot.

Names might be different due to marriage, divorce, hyphenation or legal action. If the voter's name has changed and needs to be updated, issue a provisional ballot. This will require the voter to complete a voter registration card and the name can be updated for future elections

Photograph

- a. Compare the voter to the photograph on the ID document. Take into account possible changes in physical appearance such as hair color, glasses, facial hair, weight gain or loss, cosmetics, the aging process, injuries sustained by the voter, and other factors that might cause the voter's appearance to vary from the image in the photo.
- b. If you are satisfied that the voter is the person depicted in the photo, issue the voter a regular ballot unless you have already determined that the voter's ballot is provisional due to the name or some other factor.
- c. If the photo on the document is degraded or of poor quality, issue a regular ballot to the voter if one of the following is true:
 - The date of birth on the voter's photo ID document

- matches the date of birth on the poll book.
- The voter provides a different photo ID document that contains a photograph that looks like the voter.
- You or another poll worker have personal knowledge that the voter is the person depicted in the photo. A poll worker might be acquainted with the voter and might be aware of differences in the voter's appearance that led to the inconsistency with the photo. The voter might explain to you the reason for his or her difference in appearance. In such cases, if you have no reason to suspect the ID document is not valid, issue the voter a regular ballot.

NOTE: This does <u>not</u> exempt the voter from providing an ID document. All voters must provide photo ID in order to vote unless they complete and sign Form DRO, the Declaration of Religious Objection.

Remember, the address on the ID document does not have to match the poll book. Use the poll book and the voter's stated address, not the ID document, to verify the voter's address.

Also, the date of birth is not required to appear on the photo ID document. If the date of birth does appear on the ID, it may be compared to the date of birth on the poll book in cases where the photograph on the ID is degraded or of poor quality so that there is doubt whether the voter is the person depicted on the photo ID. In such situations, if the date of birth on the ID matches the date of birth on the poll book, the voter may be issued a regular ballot.

Persons age 65 or older may use expired ID documents.

The main duties of all poll workers are to enforce the rules for voting, to issue regular ballots to all qualified registered voters, and to issue provisional ballots to persons who are, or may be, ineligible for one reason or another. Issue a provisional ballot to any person who does not meet the requirements to vote or who appears to be attempting to circumvent the requirements.

Determination by supervising judge

After following the procedure outlined above, if there is uncertainty about whether a voter's ID document is valid, the supervising judge shall make a decision regarding whether to issue a regular or a provisional ballot.

Postelection submission of photo ID

A voter who voted a provisional ballot due to the lack of valid ID may submit ID to the county election officer after voting and before the beginning of the county canvass. The ID document may be submitted by mail, in person, fax, email or any other electronic means approved by the Secretary of State.

The county election officer submits any such IDs along with the provisional ballots to the county board of canvassers. The ballot should count if the IDs are valid and the ballots are not disqualified for another reason. [KAR 7-46-1]

The rules for poll workers to use in assessing voters' photo IDs are contained in an administrative regulation adopted in 2012. [KAR 7-46-2]

D. Provisional voting

When there is any doubt about a voter's eligibility to vote at the precinct where the voter attempts to vote, a provisional ballot should be provided, even if the voter is apparently unqualified. The facts of the matter can be investigated after election day before the county canvass.

Procedure for administering challenged/provisional ballots

1. Before receiving a ballot, the voter completes a new voter registration application form, which is attached to a provisional ballot envelope.

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- 2. The reason for the provisional ballot is written on the envelope, along with the voter's number in the poll book. Two poll workers must sign the envelope. One of the board workers writes the word "provisional" next to the voter's name in the poll book.
- 3. The voter marks a ballot. If electronic voting machines are normally used, the voter is given a paper ballot. The ballot is sealed in the provisional ballot envelope.
- 4. A poll worker gives the voter instructions on how to find out after the election whether the ballot counted, and if not, why. The instructions also must contain information on how to submit photo ID to the CEO after the election in order to have the provisional ballot count.
- 5. The envelope containing the ballot is grouped with other challenged/provisional ballots. These ballots are not counted on election day. They are set aside for consideration by the county canvassers.

E. Voters with Disabilities

Each polling place is equipped with at least one electronic voting machine that is equipped to allow voters with disabilities to vote individually, privately and without assistance. The machines are equipped with headphones and audio ballots to allow visually impaired voters to hear the ballot choices and make their selections on keypads. The machines and voting booths are adjustable to wheelchair height.

Some voters with disabilities may choose to receive assistance instead of using the special voting equipment.

1. Alternative forms of signatures

A voter who is unable to sign the poll book due to a disability may:

- a. Ask a poll worker to sign.
- b. Ask another person of the voter's choosing to sign.

c. Apply a signature by using a "mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding."

2. Voters requiring assistance

A voter requiring assistance has these options:

- Two poll workers of different political parties may provide assistance to the voter upon request.
- The voter may receive assistance from a person of the voter's choice.
- The voter may have two poll workers bring a ballot to the poll entrance or to an outside location, as long as it is within 250 feet of the poll. Sometimes this is called "curbside voting."

Make a notation on the poll book if assistance is provided.

F. Second chance voting

Second chance voting means the voter has an opportunity to privately review the ballot and correct any errors or overvotes before casting the ballot.

Second chance voting may be accomplished either of 2 ways:

- 1. the voting equipment either prevents mismarks and overvotes (electronic voting systems) or it detects them and notifies the voter before the ballot is cast (precinct count optical scan systems), or
- 2. the voter must be notified of the effects of overvoting and receive instructions on how to review and correct the ballot. This is done in counties using central count optical scan and hand-counted paper ballot systems.

The CEO must determine which of the above options will be used in the county, based on the type of voting system used. Poll workers must be trained in the new procedures or in this aspect of the voting equipment.

G. Voting systems

The CEO must take into account the type of voting system used in the county when preparing for the election, equipping and supplying polling places, and training poll workers on voting procedures. Whether the county uses DRE voting equipment, an optical scan ballot system (precinct count or central count), or hand counted paper ballots affects procedures such as distributing ballots to voters, administering provisional ballots, conducting the original canvass, and tabulating and reporting results.

The CEO may adapt instructions provided by the state to fit the needs of the county.

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Chapter 6 Canvassing

Canvassing is the process of counting ballots, tabulating results, and determining how many valid votes were cast for each candidate or for each side of an issue in a question submitted election. There are a number of steps in the canvassing process and many people involved. The canvassing process is done under public scrutiny and, often, some pressure for quick and accurate results. The process must be designed and operated so as to account for special situations and still respond to the public's and the media's desire to know the results quickly.

Most voters follow the instructions and cast their ballots properly, so their votes are easily canvassed. Some ballots, however, raise questions about the validity of the vote and the intent of the voter. It is these situations that take the majority of the time to resolve and that may produce uncertainty in the results.

Two themes should be kept in mind:

- 1. Voting procedures should be simple and clear so that each voter is able to cast his/her vote with the greatest possible confidence that the vote will be counted.
- 2. Voting and canvassing procedures should be consistent and uniform in every jurisdiction to the extent possible.

A. Election night tabulation

Election night tabulation (ENT) refers to the counting of ballots and reporting of election results to the media and public on election night. This is done by CEOs and the Secretary of State's office as a public service. There is no statutory requirement for election night reporting; it is customarily done in response to the intense interest by the media, candidates and public in knowing the results of the election.

It is important to emphasize that election night results are preliminary and unofficial. They are incomplete in that they do not include provisional ballots, and they have not been certified.

1. Local elections

Local elections include county, township, city, school board, other local jurisdictions with elected officers, and special question submitted elections. For all these elections, ENT is handled entirely by the CEO. If the county uses hand-counted paper ballots or a precinct-count optical scan system, the ballots are counted at the precincts by poll workers, then the results are reported to the county election office where they are tabulated into district and county totals. At that point they are available for dissemination to the press and public. If the county uses a central-count optical scan system, the ballots are brought from the precincts to the county election office where a special board scans them and tabulates the results. If the county uses a direct recording electronic (DRE) voting system, the precinct results may be tabulated at the precinct before being submitted to the central office, but the data may be transferred to the county election office for tabulation. A special board at the county election office then tabulates and disseminates the results.

2. National and state elections

National and state elections include all federal officers, state officers, constitutional amendment ballot questions, and certain other special elections, such as questions about changing the method of selection of judges in judicial districts. For these national and state elections, election night tabulation involves reporting to the Secretary of State's office. Each county counts its ballots and tabulates them as usual, then reports the unofficial results to the Secretary of State where the results are tabulated further into statewide totals and multi-county district totals. The Secretary of State provides options for CEOs to report their results, including web site data entry, electronic transmission, or, as backups, phone and fax.

On election night, the Secretary of State's office continuously updates the tabulated results and makes them available first to the media outlets. The office also maintains public access computer terminals which members of the public may use to track the results. Also, the results are posted on the web site for the public.

B. Types of canvasses

1. Original canvass

The original canvass is conducted either at the polling place or at the county election office. It is conducted at the polling place by the precinct poll workers in counties that use hand-counted paper ballots and in some counties that use precinct-count optical scan systems. It is conducted at the county election office in counties that use central-count optical scan systems and direct recording electronic voting systems.

At the original canvass, the election board counts the votes for each candidate in each race and for each question on the ballot and produces precinct totals for inclusion in the countywide totals. The election board at the original canvass reviews all special cases such as write-in votes and mismarked ballots to determine voter intent in each case. In instances where the board is able to determine voter intent, the board includes the results with the rest of the precinct election totals. The review of ballots is conducted as a group; under no circumstances should any one person, even the CEO, be allowed to handle or count ballots alone. In instances where the board is unable to determine voter intent, it challenges the ballots (makes them provisional) and refers them to the county board of canvassers for final determination at the county canvass. The original canvass board also refers to the county board of canvassers all provisional ballots and ballots that were challenged at the time they were cast at the poll.

The board conducting the original canvass does its work according to procedures established by the CEO. Instructions should be provided in written form to promote adherence to statutory requirements.

Special write-in boards

If the board conducting the original canvass fails to correctly tally and report write-in votes, the CEO is authorized to appoint a special bipartisan board to open sealed containers of ballots, review the ballots and tally the write-in votes. The board reports the write-in totals to the CEO for inclusion in the election results to be presented to the board of county canvassers. The special board is not authorized to perform functions other than counting write-in votes.

2. Intermediate canvass

The county board of canvassers, which is composed of the members of the board of county commissioners, conducts the final canvass in local elections and the intermediate canvass in national and state elections. In the case of intermediate canvasses, the CEO sends an abstract of the county election results to the Secretary of State's office, where the figures are tabulated in preparation for the final canvass of national and state election results.

The county canvass is held on the Monday following the election or on the following Thursday (the second Thursday after the election). If the canvass is to be held on Thursday, the CEO must publish notice of the canvass date in the newspaper.

During the days between the election and the county canvass, the CEO prepares the tabulated results from the original canvass and groups all provisional ballots and issues referred by the original canvass boards in preparation for the county canvass.

The tabulated results are presented to the county canvassers along with issues that need to be resolved. The county board of canvassers has the statutory duty to make the final decisions as to which ballots are valid and which are invalid. This includes making all final decisions about voter intent on mismarked ballots, write-in votes, and provisional and challenged ballots. Neither the

canvassing board nor the CEO is authorized to open sealed ballot containers or envelopes except challenged/provisional ballots referred to them by the counting boards. The canvassers sign and certify an official abstract detailing the exact number of valid votes received by each candidate in each race and the number of valid votes cast for or against any questions on the ballot.

After the canvass, the CEO transfers vote totals for national and state elections into the official state abstract provided by the Secretary of State and transmits the state abstract to the Secretary of State for preparation for the state canvass. The county abstract is stored as a permanent historical record in the county election office or the county historical archives. The CEO mails certificates of nomination (after the primary election canvass) or certificates of election (after the general election canvass) to the candidates who have been certified to have received the greatest number of valid votes in local elections.

If a recount is requested in one or more races, the county canvass is not completed until the recount is completed. The other election results may be certified, but the canvassers must meet again after the recount to certify the results of the recounted races.

3. Final canvass

In local elections for which the county board of canvassers conducts the final canvass, the certified results are official and final. They may not be changed except: (1) by court order as the result of an election contest in a general election, or (2) as the result of an objection to a primary nomination.

In national and state elections, the county abstracts are sent to the Secretary of State within two weeks after election day. The Secretary of State tabulates the county results into statewide and district results and prepares for the meeting of the state board of canvassers. The state board of canvassers conducts the final canvass for all national and state primary and general elections, including constitutional amendment questions and other state ques-

tion submitted elections such as proposals to change the method of selection of judges in judicial districts.

The state board of canvassers is composed of the Governor, Attorney General and Secretary of State. When the tabulated results are complete, the Secretary of State schedules the meeting of the state canvassers, which by law must take place by the first day of the next month following an election. The state board of canvassers reviews the official county abstracts and the state abstracts prepared by the Secretary of State's office and certifies the results. The results are published in the Kansas Register by the Secretary of State and disseminated to the media and other interested parties.

C. The need for consistency

The case of *Bush v. Gore* in 2000, in which the United States Supreme Court determined the winner of the presidential election, highlighted the need for consistency and set election administrators on the path toward standardization and uniformity of procedures. The Supreme Court stated in its decision in *Bush v. Gore*:

The problem inheres in the absence of specific standards to ensure its equal application. The formulation of uniform rules to determine intent based on these recurring circumstances is practicable and, we conclude, necessary. The want of those rules here has led to unequal evaluation of ballots in various aspects...the standards for accepting or rejecting contested ballots might vary not only from county to county but indeed within a single county from one recount team to another. *121* S Ct 525 at 530

Consistency may be addressed in voting procedures, training programs, administration of ballots, and various other ways, but one important area where consistency may be improved is in the county canvass. This means consistency in determining the valid-

ity of ballots, determining voter intent, and processing and counting provisional ballots.

Title III of the Help America Vote Act of 2002 speaks of consistency in procedures for counting ballots, processing provisional ballots, and the need for rules on what constitutes a vote and determining voter intent.

D. Write-in votes

In most elections, write-in votes are specifically provided for in law. Write-in votes take more time in canvassing than other votes, and they often raise the most questions regarding voter intent.

Voters may cast write-in votes in any official election except:

- 1. presidential preference primaries,
- 2. a primary election where there is at least one candidate filed for the office, and
- 3. question submitted elections.

Generally, the voter must make his/her intent known in order for the vote to count. The name must be written legibly enough and spelled correctly enough to make the voter's intent clear to the persons counting the ballots.

The persons determining the voter's intent may be the counting board in the precinct, a board convened for that purpose in the county election office, a special advance voting board, or the county board of canvassers. Ballots with unclear voter intent are challenged (made provisional) and referred to the county board of canvassers for determination.

The voter casting a write-in vote is instructed to write the candidate's name on the blank line and to mark the box or darken the oval next to the write-in blank on the ballot, but the law specifically states that failure to mark the box or darken the oval should not invalidate that portion of the ballot. The vote should count if the voter's intent is clear, regardless of whether the voter marked the box or darkened the oval.

During the ballot counting process after the polls close, persons counting ballots in counties using hand-counted paper ballots or optical scan ballots should be instructed to visually inspect each ballot, looking for write-in votes. The reason for this is that write-in votes are considered valid even if the voter fails to mark the box or fill in the oval next to the write-in blank.

Write-in votes can affect the outcome of the election, especially in local races. Thus, it is important to ensure that they are tabulated. If the original counting board fails to produce write-in totals, the county election officer is authorized to convene a special write-in board to open sealed ballot containers to search for write-in votes.

Voter intent is determined at the local level, not the state level, because often local knowledge of candidates is helpful in determining voters' intent.

1. Write-in stickers or labels

In order to minimize problems with misspellings, abbreviations and illegible handwriting that obscure the voters' intent, some write-in candidates distribute stickers or labels with their names printed on them. The candidate asks the voters to take the stickers with them to the polling place and affix them in the appropriate place on the ballot. Stickers are neither prohibited nor specifically allowed in Kansas law. However, some CEOs in counties using optical scan ballots have adopted regulations, with the advice of their respective county attorneys or counselors, to prohibit stickers in their counties because of the possibility of jamming their optical scan ballot counting equipment. These regulations are adopted pursuant to KSA 25-2706(a), which authorizes the adoption of regulations controlling the voting procedure. Once adopted, the regulations must be filed with the Secretary of State. Write-in candidates considering the use of stickers should consult the county election officer(s) regarding any requirements for stickers.

If stickers are applied to ballots by voters in a county which has adopted a regulation prohibiting stickers, it is recommended that the votes count despite the existence of the prohibitory regulation. The regulations often are successful in preventing the use of stickers, but if stickers are used notwithstanding a regulation, the voters' intent carries more weight than the county's regulation. Any ballots containing stickers should be separated from the other ballots, hand counted, and included in the election results.

2. Fictitious names and unqualified candidates

A common question arising from write-in voting is how to handle write-in votes for fictitious names and unqualified candidates. Fictitious names include votes for such "persons" as Mickey Mouse, John Doe, and None of the Above. Unqualified candidates include votes for persons who obviously are not candidates for the office (ex: George W. Bush for township clerk) or who do not meet the qualifications for the office (ex: a person who lives outside the city who receives votes for council member).

Write-in votes for fictitious names and unqualified candidates should be handled the same. The officials conducting the original canvass should tally all the votes and report them to the CEO. Before the meeting of the county board of canvassers, the CEO must determine (1) if any such "candidates" received enough votes to win the office (or nomination), and (2) if the names are truly fictitious and the "candidates" truly unqualified. For instance, it is possible, though unlikely, for a person named John Doe or Michael "Mickey" Mouse to live in the county, or for a nonresident of the city to have moved into the city without re-registering before the election.

As always, questionable write-in votes may be challenged and sent to the county canvassers for decision. The intent of the laws is to allow the county canvassers to be presented with all relevant information so they are able to certify which candidate, person or other entity received the most valid votes.

3. Nicknames

The use of nicknames by candidates and voters may sometimes make it difficult to determine voter intent. Candidates are not required to use their "official" names or the names on their voter registration records when campaigning; indeed, most use whatever names they are best known by and which will garner the most votes. "James" and "Robert" often become "Jim" and "Bob," but often nicknames will be added, as in John "Jack" Doe.

The rules for determining voter intent when nicknames are used are the same: the persons conducting the original canvass make the decisions, or they may challenge a ballot and refer it to the canvassing board if in doubt. Again, local knowledge is useful in determining voter intent.

E. Voter intent

The purpose of an election is to determine the will of the voters. Most voters mark their ballots clearly, according to the rules, and their ballots are easily counted and tabulated. Some, however, misunderstand or fail to follow the instructions, or they mismark their ballots, or fold or tear them so that it is unclear for whom or what they intended to vote. Also, errors in ballot preparation and printing can make determination of voter intent difficult. The statutory concept of voter intent is the fundamental consideration in deciding whether questionable ballots should count. Although the concept is mentioned more than once in the election statutes, it is not clearly defined.

Voter intent was raised as an issue in the presidential election of 2000. The U.S. Supreme Court ruled in *Bush v. Gore* that the constitutional guarantee of equal protection of the law means that each voter must have an equal opportunity to have his/her vote count. A related issue from the 2000 election is consistency. Standards for counting ballots and determining voter intent must be adopted and applied the same way in all voting jurisdictions in a

state or election district.

Kansas law assigns the duty of counting all ballots to local election officers, first at the precinct level, then at the county level. The voters' intent on questionable (challenged, or provisional) ballots is determined at the county level. Precinct and county officers are most familiar with relevant issues affecting the votes, such as qualifications and residence of individual voters, boundary lines of political jurisdictions affecting ballot styles, and the occurrence of write-in campaigns. Election boards and canvassing boards should use local knowledge when it is helpful in determining voter intent.

The persons conducting the original canvass make the first attempt to determine voter intent. If the voter intent is impossible to determine at the original canvass, the decision is referred to the county board of canvassers.

F. What constitutes a vote

HAVA requires states to adopt rules on what constitutes a vote in order to promote consistency across the nation and to increase the likelihood that voters' ballots are treated the same no matter what state or local jurisdiction they voted in. Section 301(a)(6) of HAVA states:

Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.

The ballot is the medium provided for the voter to express his/her intent. If the voter's intent is discernible, it is an easy matter to determine that it constitutes a vote. However, there are different voting systems in use, and different ballot forms. Attention must be paid to how votes are cast and tabulated in various voting systems (electronic voting machines, optical scan ballots, or hand-counted paper ballots).

A voter might make a check mark instead of an X in the box on a paper ballot, or make a mark outside the box. A voter might not completely fill in the oval on an optical scan ballot, or circle the oval instead of darkening it. An advance voter might use a pen or pencil that is not easily read by an optical scanner. These types of instances require a special effort to determine the voter's intent, and different voting systems treat them differently.

In Kansas, the rules for what constitutes a vote are in statute and in the Kansas Election Standards. In some cases an election board makes a determination if votes are questionable, especially in the case of write-in votes on optical scan or hand-counted paper ballots. If the election board is unable to make a determination, ballots may be challenged (made provisional) and referred to the county board of canvassers. If a voter's intent is still unclear, no vote is cast and the review of the ballot is ended. At that point it requires an extraordinary measure such as an election contest to create an additional review of a ballot or ballots.

The process of tabulating and canvassing ballots works best if CEOs, county attorneys/counselors and canvassers are familiar with the rules. Most voters make their intentions clear when they mark their ballots. In situations where their intentions are not clear, however, if everyone involved in the process is aware of the rules and consults with each other, the resulting decision is, in most cases, legally sound and able to withstand scrutiny.

G. Preparing for the county canvass

1. Date and time of canvass

The time and place for the county canvass, whether intermediate or final, is governed by KSA 25-3104. The canvass begins between 8:00 and 10:00 a.m. on the Monday after the election unless the CEO moves the date of the canvass to the following Thursday, in which case notice must be published in a newspaper of general circulation in the county. The election officer might move the can-

vass to Thursday to allow more time for processing provisional ballots and making other arrangements for the canvass, or it might be because of scheduling conflicts which make it difficult to convene the canvassing board on Monday. Whichever day is chosen, the canvass is usually completed that morning or the afternoon of the same day, but on occasion the canvassers might recess and complete the canvass another day due to scheduling conflicts, the number of races to be certified, or requests for recounts.

2. Polling place issues

Issues arising from advance voting or election day voting should be reviewed by the county election officer and reported to the county board of canvassers. Such issues may include:

- reports of electioneering or other criminal activity
- problems in ballot design, printing or distribution
- provisional ballots
- emergencies such as power failures, equipment breakdowns, or natural or man-made disasters
- events that have generated unusual interest by the public or the media
- unexpected election results such as significant write-in campaigns or tie votes

These reports by the county election officer are helpful to the canvassers as they carry out their statutory duty to "hear any questions which the county election officer believes appropriate for determination by the board" and to "do what is necessary to obtain an accurate and just canvass of the election." [KSA 25-3107(a)]

Knowledge of these issues will help the canvassers answer questions arising during and after the canvass or questions raised by an official complaint filed with the Secretary of State.

3. Provisional ballots

Provisional ballots should be collected, sorted according to their reasons for being provisional, and presented to the county board of canvassers for determination as to their validity. Information in the Kansas Election Standards is helpful in deciding the validity of ballots. See also "Counting Provisional Ballots" below.

4. Tabulated results

The principal duty of the county board of canvassers is to certify the results of the election. When the board certifies the results, they become the official county election results for that election. The tabulated results presented to the county board of canvassers are in the form of a preliminary abstract.

For local elections, the election results certified by the county canvassers constitute the final abstract. For state and national elections it is referred to as the intermediate abstract because it is forwarded to the Secretary of State for tabulation and certification by the state board of canvassers.

H. County Canvass

In Kansas, the legal authority rests with the county board of canvassers to determine the validity of all ballots cast in that county and to determine how many valid votes were cast for each candidate. The board of canvassers in each county is the board of county commissioners. Canvassing the official returns of elections is just one of many statutory duties of commissioners.

In past years, very few people outside those directly involved with local elections knew the rules for canvassing or even monitored the events at county canvasses. In recent years, however, the trend is toward more interest in the process and more scrutiny of the decisions made. Today, canvasses may be attended by candidates, party representatives, candidates' attorneys, and poll agents, all of whom have stakes in the outcome of the election.

This has been brought about by nationwide electoral trends, passage of federal and state laws, and the closeness of some high-level and highly publicized races. One result of this trend is the

need for increased consistency from county to county within Kansas and, by extension, from state to state within the United States.

Under Kansas law, the CEO provides information for the county canvassers to make decisions regarding the validity of ballots, and canvassers often rely heavily on the CEO's work. It is essential that the CEO perform adequate research on the legal status of questionable ballots and provide accurate information to canvassers to ensure that their decisions are legally sound and to minimize the chance for recounts, contests and lawsuits.

The CEO and canvassers should consult the county attorney or counselor when needed to provide legal background for decisions made at the canvass. Chapter III of the Kansas Election Standards discusses the canvassing procedure and provides an analysis of legal rules and precedents as well as administrative practices that may be used in preparing for a canvass.

1. Open meeting

The county canvass is often conducted at a regular meeting of the commissioners. Whether the canvass is conducted at a regular commission meeting or at a special meeting, the canvass should be conducted as an open meeting pursuant to the Kansas Open Meetings Act. Canvassers may adopt rules governing whether and for how long observers may speak or ask questions at the canvass.

2. Counting provisional ballots

The number of provisional ballots in a given election determines whether the results of the election will be known with reasonable certainty on election night or whether the provisional ballots will decide the outcome of the race. This creates a greater focus on the processing of provisional ballots and a greater need for their validity to be decided consistently and according to established rules.

One of the most important post-election activities of the CEO is to collect provisional ballots, research them, and prepare infor-

mation for the county canvassers between election day and the county canvass. With the general increase in the number of provisional ballots in recent years and the greater focus on these ballots, it is imperative that county canvassers make sound decisions, based on law, and that their decisions are consistent from election to election and from county to county.

Provisional ballots are set aside in individual sealed envelopes and remain uncounted until a decision is made whether each one is valid. The decision whether to count them is made by the county board of canvassers. It is only after a particular ballot is determined valid that it is opened and counted; invalid provisional ballots remain unopened and are stored unless and until they are ordered to be opened by a court.

One new feature of this process beginning in 2012 is the review of photo IDs submitted by provisional voters after election day. A voter whose ballot was provisional due to the failure or refusal to provide photo ID may submit his/her ID, or a copy of the ID, to the county election officer any time after casting the provisional ballot and before the start of the county canvass. The ID document may be submitted by mail, hand delivery, email, or fax. [KAR 7-46-1]

Canvassing provisional ballots involves two steps:

- a. Processing by the CEO
- b. Canvassing by the county board of canvassers
- a. Processing by the county election officer (1) First, the CEO should verify the number of challenged/provisional ballots by precinct to see if the number received agrees with each precinct election board's record of the number of provisional ballots voted. Next, the CEO groups the provisional ballots according to the reasons for their being provisional.
- (2) The CEO researches voter registration records and other sources in order to provide the necessary information to the county board of canvassers for them to determine whether each ballot should count. In many counties this includes making a recommen-

dation to the canvassers as to whether a ballot should count.

b. Canvassing by the county board of canvassers – Ballots are provisional either because they were cast by the voters as provisional due to questions about the voters' qualifications or because the board conducting the original canvass challenged them due to a question about voter intent. In either case, the canvassers determine each ballot's validity according to the following process.

3. Determining validity of provisional ballots

- a. The CEO presents the groups of provisional ballots to the county board of canvassers at the regular canvass meeting after the election.
- b. The canvassers review the reasons why the ballots are provisional and decide whether to count them. Care should be taken that voters' names and the manner in which they voted are not disclosed to the public or the canvassers. The CEO might want to separate the voter registration forms from the ballot envelopes before the canvass to ensure voters' privacy, but some canvassers might want to review the registration forms in determining the validity of the ballots.
- c. The canvassers make the final decision as to whether each provisional ballot is valid. If the law addresses the issue, the ballot is valid and is counted. Other situations are decided on a case-by-case basis. Provisional ballots that are deemed valid by the canvassers are opened, counted and added to the official election results. Usually the canvassers instruct the CEO to open and count the ballots.
- d. Canvassers are required to count partial provisional ballots. If a voter cast a provisional ballot in a precinct other than the precinct in which the voter is registered but still within the same county, the canvassers should deem valid any votes for races or questions that are identical in both precincts. By the same token, any races or questions that do not appear on both precincts' ballots should not be counted.

For instance, votes for the offices of president, governor, other statewide races, constitutional amendment questions, countywide races and questions, and some state or county district offices will be valid because the races or questions were common to both ballots—the ballot the voter cast for the wrong precinct and the ballot intended for the precinct in which the voter was registered. This situation arises due to poll book error, poll worker error, voter error, or instances where the voter attempts to vote at a polling place closer to the voter's home or workplace than the polling place in the precinct where the voter is registered.

e. Provisional ballots that are deemed invalid are not opened. They remain sealed and are stored with the other ballots after the canvass. They may be opened under court order in an election contest, or, in some cases, the county canvassers may open ballot envelopes to retrieve forms necessary for determining the qualifications of the voters.

After all valid provisional ballots are counted, the votes are added to the rest of the tabulated results to produce a final set of election results. These are the final tallies that the county canvassers sign and certify and which become the official county abstract of votes cast.

I. Recounts

The recount is one of the methods provided by law to question or review the outcome of an election. Other methods are the objection (after a primary election) and the election contest, which is a court proceeding after a general election.

The recount procedure involves repeating the tabulation of ballots that produced the first set of results to determine if the tabulation was accurate. The recount process does not include a review of whether ballots should have counted or not; it means only that the ballots that were included in the original tally are counted

again to determine if the results should be different. They may be recounted using the original means (scanning or electronic tabulation) or hand-counted, depending on the wishes of the person requesting the recount.

Here are some general rules derived from recount experiences in recent years to guide county election officers when faced with a request for a recount:

- Develop written canvass procedures that are approved by the board of canvassers.
- Develop a procedures manual for processing provisional ballots, using SOS guidelines. Keep it updated and handy as a reference during the canvass.
- If possible, have someone take minutes at the canvass meeting.
- Make the canvass and recount processes as transparent as possible, but recognize that transparency may invite questions. Be honest in answering questions. Don't be defensive.
- Communicate with the Secretary of State's office and the county legal counsel.

Chapter 7 Accessibility

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Chapter 7Accessibility

The voting process is a public event, and the polling places where it occurs are public. They must be fully accessible to all members of the voting public, meaning they must comply with federal and state laws guaranteeing accessibility. These include the Voting Rights Act and the Americans with Disabilities Act. Additionally, the Help America Vote Act contains specific requirements regarding accessibility.

Together, the laws have created three accessibility-related themes:

- language accessibility
- polling place accessibility
- ballot accessibility

A. Spanish ballot access

Some counties are required to provide voting materials in languages other than English. The CEOs in such counties must keep this factor in mind throughout the preparations for each election. It is optional for other counties.

1. Which counties?

According to the 2010 census, four counties are required to produce voting materials and ballots in Spanish: Finney, Ford, Grant, and Seward.

2. What are the criteria?

According to Section 203 of the Voting Rights Act of 1965, a jurisdiction is required to produce alternative language voting materials if, based on the most recent federal decennial census, it meets one of the following criteria: (1) more than 5% of the voting age citizens are members of a single-language minority group who

do not speak or understand English adequately to participate in the electoral process, or (2) the rate of those citizens who have not completed the fifth grade is higher than the national rate of voting age citizens who have completed the fifth grade. (Completion of the fifth grade is the benchmark for literacy.)

3. What languages?

Currently, only Spanish is required anywhere in Kansas. In other areas of the United States, jurisdictions provide assistance in Chinese, Vietnamese, Japanese, Korean, various American Indian dialects (Pueblo, Sioux, Navajo, Apache, Chickasaw, Tohono O'Odham, Yaqui, Yuiman, Ute, Seminole Paiute, Shoshone and Choctaw), various dialects spoken in Alaska (Aleut, Eskimo and Athabascan), and Filipino (Tagalog).

4. What is required?

Alternative language assistance is in the form of printed materials and oral language assistance. Community outreach and public relations programs must be conducted to notify the public of the assistance available and to identify translators and poll workers.

Printed materials include ballots, voter instructions, voter registration application forms, ballot application forms, Voter's Rights and Responsibilities posters, voter outreach materials, newspaper publications, candidate filing forms, petitions, confirmation notices, and notices of disposition. Oral language assistance includes interpreters at polling places, interpreters in the election office to process voter registration and ballot applications and other materials, and language assistance at voter registration agencies.

5. What resources are available?

The Secretary of State coordinates with the Hispanic and Latino American Affairs Commission to translate most printed materials into Spanish. The Commission can assist county election officers in recruiting interpreters, poll workers and local translators and can

provide training in election procedures and sensitivity training.

The county election officer may find the local media to be of assistance in publicizing the program. Local Hispanic groups, colleges, churches and civic organizations may be contacted to assist in recruiting poll workers and translators.

The U.S. Department of Justice offers guidance to the state and localities on the scope of the requirements and acceptable methods of addressing the needs of the non-English proficient voting public.

The Secretary of State offers the Spanish voting materials to any CEO who wishes to use them.

B. Polling place accessibility

Polling places are required to be accessible to all voters, including voters with disabilities. Accessibility means that any voter, including a voter with any combination of physical disabilities, should be able to enter the physical structure of the polling place and the voting booth area and to exit the polling place without assistance. KSA 25-2710 establishes standards of accessibility, and because they are public accommodations, polling places must meet the requirements of the federal Americans with Disabilities Act (ADA). This includes ramps and handrails, voting booths at wheelchair height, and doorways wide enough for wheelchairs.

Guidelines for assessing compliance of existing facilities with the ADA are provided by the National Institute on Disability and Rehabilitation Research. The guidelines and a helpful checklist, called "The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal," are available by calling 1-800-949-4ADA. A checklist also is available on the U.S. Department of Justice's web site.

Physical access to the polling place focuses on two main factors:

- the ability to travel from a car or sidewalk into the building, and
- movement within the building to and from the voting area.

C. Access to the ballot

For many years, Kansas has had five separate statutory provisions guaranteeing access to the ballot for voters who need assistance, but all these provisions require the voter to *receive assistance*. HAVA guaranteed the ability for a voter with a disability to vote independently, secretly and *without assistance*—the same as every other voter. Thus, the ballots and voting booths are designed to remove obstacles for voters in wheelchairs or who have limited mobility, and electronic voting machines with audio ballot components are provided for visually impaired voters.

Poll workers must be trained several ways:

- how to inspect facilities for accessibility problems,
- how to use accessible voting equipment
- how to instruct voters, and
- how to be sensitive to the needs of voters who have disabilities.

D. Awareness and sensitivity

County election officers and poll workers must be aware of where individuals with accessibility needs live and where to focus efforts on improving access. Anyone dealing with the voting public needs to be sensitive to accessibility issues and how to meet the needs of voters

Local and regional representatives of language minority groups and protection and advocacy groups can help identify resources and may even provide knowledgeable persons to assist in training election workers in awareness and sensitivity.

Keep the following points in mind:

 Offer to shake hands when introduced. At least offer the same greeting to everyone.

- Identify yourself and others who are with you when meeting a visually impaired person. Let the person know who and where you are.
- Listen attentively when talking to people who have difficulty speaking and wait for them to finish.
- Speak directly to the person with a disability rather to the person's companion or sign language interpreter. Do not speak loudly to a visually impaired voter.
- Tap a deaf person on the shoulder or wave a hand to get their attention. Speak calmly, slowly and directly to a person with a hearing impairment. Don't shout or speak directly into the person's ear. Write a note if necessary.
- Place yourself at eye level when talking to a person in a wheelchair or on crutches. You might want to sit down.
- When assistance is requested, allow the person to take your arm and tell him/her if you are approaching steps or inclines.
- Allow the voter to receive assistance from a person of his/ her choice if preferred.
- Be considerate of the extra time a voter with a disability or an elderly voter might need in getting into the polling place, marking the ballot, and exiting.
- Before pushing a voter in a wheelchair, ask if you may do so and how you should proceed.
- Treat adults as adults. Don't treat an individual with a disability like a child.
- Animals that assist voters with disabilities are admitted to all buildings. Do not pet or play with them—they are working.
- Don't lean against wheel chairs, carts, or canes. Persons using such equipment consider them as extensions of their bodies.
- Relax. Don't be embarrassed if you use common expressions that seem to relate to a person's disability.
- Adjust the voting booth or voting machine as needed.
- If possible, provide seating outside the voting area for voters to wait for their rides or for their companions to vote.

Chapter 8 Special Situations

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Chapter 8Special Situations

Much planning goes into a successful election, and many people working together are required to effectively conduct an election. However, no matter how complete and thorough the planning, unexpected situations often arise. Such situations might include emergencies or disasters, the sudden withdrawal or death of a candidate, the rise of a write-in candidate, intense public interest in a particular race or question, unanticipated levels of activity by authorized poll agents, media exit polling, and extremely close races resulting in recounts or contests or unusual scrutiny of procedures.

Expecting the unexpected becomes the practice of the experienced election administrator.

A. Media / Public Relations

There is often a give-and-take relationship between election officers and the media. Election officers are required to use the media to carry out certain parts of the administration of elections; for instance, newspaper publications are the recognized and required method of notifying the public about upcoming elections, voter registration sites, names of candidates, and polling place locations.

In an emergency or other unexpected occurrence, the media can be a great help in quickly disseminating information useful to the public in getting their ballots and casting informed votes.

On the other hand, the media play an investigative role when unexpected situations occur or when problems arise. In such cases media representatives may put the election officer on the defensive in their attempt to do their job of reporting the news.

A successful election administrator cultivates and maintains good relations with all media sources—radio, television, newspapers and other publications.

1. Using media to disseminate information

Besides the normal publications about upcoming elections, the media may be used to quickly and widely disseminate information when unexpected situations occur. Such situations include:

- moving polling places or reassigning voters to new polling places
- temporarily altering ballot distribution procedures in response to an emergency

The media also may be used to publicize voting information that is not required to be published: how to obtain an advance ballot, special questions on the ballot, and factual information to clarify occasional public misperceptions.

2. Responding to media inquiries

When fielding media inquiries, it is helpful to keep the following points in mind:

- Never say "no comment" or avoid the media. If you don't know the answer, say so. Offer to find the answer and get back to reporters. It's okay to say "I don't know, but I'll find out."
- **Get your facts straight—fast. And stick to them.** Explain the basic who, what, when, where and how as soon as possible. Don't worry about explaining *why* early in the situation.
- Avoid speculation. Reporters often throw out hypotheticals during a crisis. Don't fall into this trap! Stick to the facts. If you're not sure, don't say it.
- **Tell the truth, even if it hurts.** The price of deceiving the media or the public could be your reputation.
- Monitor media reports and correct errors immediately. Make sure you get a feel for what the media is saying and how the public is responding. Don't assume reporters will always get the most accurate information, but don't interpret errors as a sign they're "out to get you."
- **Be patient with reporters.** Don't get annoyed with seemingly trivial or repetitive questions.

- Speak to the public. Show concern and empathy in any
 way possible. If you are the object of blame, offer a solution or apology.
- Avoid jargon, acronyms and technical terms. Don't hide behind language others might not understand. Use emotive words and phrases to show your human side.
- Treat all media equally and never get emotionally involved with a reporter. If you play favorites, you could get burned. If you are having problems with a reporter, go around that reporter.
- Use a trained spokesperson (if you have one) at the scene, and then exercise your leadership as soon as possible. If you don't give official information, reporters will find unofficial material to fill their stories.

3. Media at the polls

Sometimes the media will request permission to be at one or more polling places, or in some cases they will show up unannounced. Usually the media's interest in being at the polls is for normal election day coverage: assessing turnout levels, monitoring the mood of the electorate, following candidates, photographing the voting process, and the like.

In such cases it is important to remember the following points:

- Every polling place is under the control of the county election officer and the supervising judge.
- Activities at the polling place must be strictly limited.
- Even so, election officials don't want to be seen as excluding people from the process or keeping the media from doing their job or, worse, hiding anything.

Photography – If the media wish to photograph activities at a polling place, it should be treated like any other request—it is up to the county election officer and the supervising judge whether to allow it. Generally it has been allowed with one important limitation: no one should ever be allowed to photograph a ballot or the

face of a voting machine or the inside of an occupied voting booth. Also, photography should be limited to recognized media representatives.

Exit polls – One of the traditional methods used by the media in their election coverage is exit polling, or interviewing voters as they leave the polling place.

Exit polling is permissible within the following limits:

- Pollsters must follow normal rules imposed by the county election officer and the supervising judge.
- Electioneering is still illegal, and it is considered disorderly election conduct to "interrupt, hinder or obstruct any person approaching the voting place for the purpose of voting."

Recognized exit polling organizations often request permission from the Secretary of State and from individual CEOs to conduct exit polling in selected polling places each election year.

B. Emergencies

Part of the preparation for any election should be the development of emergency procedures. The term "emergency" as used here means any event or situation that disrupts, or threatens to disrupt, the normal voting procedure on election day or during advance voting. Emergencies might include fires, floods, tornadoes, loss of electrical power, equipment malfunction, loss of ballots or other election supplies, misprinted ballots, bomb scares or terrorist acts, failure of election boards to report for duty, or disruptions by voters or poll agents.

The principal goal of any emergency voting plan is to allow each registered voter qualified to vote at that election an opportunity to vote the correct ballot during regular voting hours.

Neither the Secretary of State nor the CEO has the authority to cancel an election or postpone it until a later date in the event of an emergency. A court might order a new election if a contest is filed and the court determines that voters were not given a reasonable

opportunity to vote or that the results of the election are incomplete or invalid for some reason.

However, there is a law that states: "The secretary of state may designate temporary alternative methods for the distribution of ballots in cases of war, natural or man-made disasters, equipment failures or other emergency conditions or circumstances which make it impossible for voters in a voting area to obtain ballots as provided by law."

Emergencies might require the county election officer to coordinate with various other entities, including local law enforcement agencies and state agencies that have authority in emergencies. For instance, in 1998 many counties in the eastern part of Kansas experienced flooding that made normal ballot distribution impossible in certain areas. Some polling places were isolated by rising waters, while voters in some areas were unable to leave home to vote. CEOs in several counties contacted the Secretary of State, and a plan was devised to deliver ballots to voting places using emergency vehicles, including boats, and in some cases to take voters to the polling places. In such cases the Secretary of State may request the governor to declare an emergency and direct the National Guard to assist in the election, although this is rare. Usually the situation is handled by local officials such as the sheriff or other law enforcement personnel acting at the direction of the county attorney in coordination with the CEO.

An emergency plan should include the following items:

- 1. Identify the specific precincts or voting areas affected by the emergency, and the number of voters affected.
- 2. Determine the proposed action that would be most effective in responding to the emergency, such as alternative transportation, moving polling places, alteration of ballots, contacting voters, or issuing special instructions to precinct poll workers.
- 3. Contact the Secretary of State's office at 785-296-4561 or 1-800-262-8683 to discuss the emergency and a plan of action.

- 4. Notify voters and the public at large as quickly as possible. Request the assistance of local media outlets, especially radio stations, to distribute information about how voting procedures are being altered.
- 5. If necessary, post notices at polling places of the changes in voting procedures. Election officers should notify poll workers, especially supervising judges, as quickly as possible. They might consider contacting individual voters if the number is small enough.
- 6. Implement the alternative voting plan quickly within normal voting hours if possible. Respond to inquiries from the media and voters as quickly and factually as possible.
- 7. At the county canvass, inform the board of canvassers and the county attorney/counselor of the nature of the emergency and the actions taken. If needed, update the Secretary of State on the impact the emergency had on the election.

C. Authorized Poll Agents

Elections are conducted as openly and with as much public access as possible, still recognizing the need for control to preserve the secrecy of individuals' ballots. At most points in the electoral process, interested individuals and groups may observe the proceedings at the precinct polling sites, at the county election office, or at the county or state canvass.

The principal means recognized in state law for public observation of electoral proceedings is the authorized poll agent. Poll agents are commonly referred to as poll watchers.

1. Who are poll agents?

There are two ways to be designated as an authorized poll agent.

- 1. Each of the following persons is automatically a poll agent because of the position they hold:
 - a. state or county party chair

- b. chair of a committee formed to support or oppose a question submitted election
- c. candidate
- d. precinct committeeman or woman
- e. a write-in candidate for statewide office who has filed an affidavit of write-in candidacy with the Secretary of State
- 2. A person may be appointed to be a poll agent by one of the persons listed above.

It is important to note the distinction between poll agents who are authorized by law and those who are appointed.

2. How many?

Each person who is authorized to appoint poll agents may appoint one per polling place.

3. Qualifications

Appointed poll agents must be registered Kansas voters. If they are members of a candidate's immediate family they are exempt from this qualification (some candidates in the past have appointed relatives from out of state). Also, individuals 14 to 17 years old may be appointed poll agents if they meet all other requirements of an elector (U.S. citizenship, residency).

4. Appointment process

Appointments must be made in writing on a form approved by the Secretary of State. Form PA is produced by the Secretary of State's office for this purpose. The appointment

form must be filed with the county election office, but no deadline is specified, so they may be filed up to and on election day.

Poll agents must carry their authorization forms with them at any time they are acting as poll agents, and they must present the forms when asked by a precinct or county election worker. Further, they must wear a badge, issued by the county election officer, containing the word "observer" in 32-point type or larger. CEOs are

encouraged to supply badges to the supervising judge at each polling place so they can issue them to poll agents who are appointed on election day.

When a candidate or precinct committee person is acting as an authorized poll agent, he/she must carry identification supplied by the county election officer. In some counties this identification is a letter, but some counties supply a badge to be worn on the lapel.

5. What poll agents may do

Poll agents may observe the voting process at polling places and may observe the original, intermediate and final canvasses. They may request to have an election judge at the original canvass display a ballot to them, but the poll agent may not touch the ballot.

6. Limits on poll agents' activities

Poll agents must carry their appointment forms with them. Candidates and precinct committee persons acting as poll agents must carry identification supplied by the county election officer. Poll agents must act in accordance with statutes, regulations adopted by the Secretary of State, and directives of the county election officer and supervising judge of any polling place. For instance, they are subject to the same statutes prohibiting electioneering, voter intimidation and disorderly conduct as anyone else.

Poll agents may not participate in the administration of ballots or the ballot counting and tabulating processes. They may not handle ballots.

To help inform poll agents of what they may and may not do, the appointment form, Form PA, contains on the back of the form a set of rules. Also, an administrative regulation, KAR 7-45-2, authorizes the supervising judge to instruct poll agents as to their behavior and to ask them to leave the polling place for improper behavior.

D. Election Crimes

During the past few years increased attention has been focused on election crimes. The Secretary of State's office is aware of reports of illegal activity through discussions with CEOs and complaints from voters.

Elections in Kansas are generally free, open and fair to all involved. There is no evidence of widespread corruption or races being thrown by illegal voting. However, there are anecdotal, often localized, instances of improprieties. Any such substantiated occurrences must be referred to law enforcement officials for investigation and possible prosecution.

The Secretary of State works with CEOs and local law enforcement officials when evidence of illegal activities arises. The Secretary of State does not have statutory authority to conduct official investigations or to prosecute, but the office is often able to collect information through informal inquiries and provide it to the agencies that do have authority to pursue the cases. This may be local police or sheriff departments, county attorneys and district attorneys, the Kansas Attorney General and Kansas Bureau of Investigation, and, in cases involving federal laws, the United States Attorney's Office and the Federal Bureau of Investigation.

The types of illegal voting that are most often alleged are:

- Double voting (often this is voting in more than one state)
- Voting by ineligible persons, including felons and non-U.S. citizens
- Improper activities associated with advance voting, most commonly advance voting by mail, permanent advance voting and voting by persons in institutions such as nursing homes

The statutes specifying election crimes are contained in Chapter 25, Article 24 of the Kansas Statutes Annotated. They prohibit certain activities such as fraud, bribery, perjury, forgery, corrupt advertising and disorderly conduct. Most of these statutes deal

with illegal actions on election day at polling places or during the voting or ballot counting processes. There are very few election crime statutes dealing with other parts of the electoral process such as voter registration and petitioning.

Some of the election crime statutes prohibit certain inappropriate conduct that makes them applicable to everyone.

- No one may solicit, offer, or accept any benefit (bribe) as consideration to or from any person either to vote for or against any candidate or question submitted or to induce the signing of nomination papers.
- Anyone who intentionally and knowingly answers falsely to any questions regarding an application for registration to vote or qualification of a voter commits election perjury.
- If a person intentionally and knowingly signs a name other than his/her own to any petition or nomination paper, marks someone else's ballot, either without that person's consent or contrary to that person's directions, such person commits election forgery.
- No one may possess false or forged election supplies, print
 or circulate imitation ballots, mark ballots in any way for
 identification, or destroy election papers or supplies.
- In addition, there are various statutes not specific to election laws that may be relevant in certain election-related situations, such as statutes prohibiting false writings or signing false oaths or affidavits.

There are some statutes that apply only to election officials.

- No election official may accept a bribe in exchange for the improper performance of election duties.
- Election officials are prohibited from intentionally inducing a voter to vote contrary to that voter's inclination, changing the vote of a voter, or preventing a qualified voter from voting.
- No election official may intentionally hinder, prevent or defeat a fair election by fraudulent means, such as accepting votes from unqualified voters or any voter who has already

voted in that particular election, receiving or counting any ballot which is fraudulent, counterfeit, or illegal, or declaring any false election result.

- Election officials are prohibited from election suppression, which is suppressing or failing to file nomination papers, petitions or certificates of nomination.
- It is unlawful for any election official to expose, or to induce any voter to disclose, the manner in which a ballot was marked.

Some statutes are specific to activities during the voting process.

- The election crime statutes prohibit anyone from engaging in disorderly conduct near any voting place on election day or during advance voting, and from threatening or otherwise intimidating voters.
- One of the more significant election crime statutes involving election day activities is the electioneering statute. It is a crime to campaign within 250 feet of the entrance of a polling place or an advance voting site. Campaigning refers to attempts to persuade voters to vote one way or another, including the display of yard signs and wearing buttons and clothing bearing political campaign slogans or names of candidates.

Investigation and Prosecution

Because elections are conducted at the local level of government, illegal acts are normally prosecuted by the county or district attorney. A person who alleges criminal activity may file a report with the local law enforcement officials (police, sheriff or county/district attorney) and present facts and evidence for the county/district attorney to consider in deciding whether to prosecute. Sometimes the Attorney General may be notified of situations, and the Kansas Bureau of Investigation may be ordered by the attorney general to investigate and collect evidence for possible prosecution.

The Secretary of State has no statutory authority to conduct of-

Chapter 8: Special Situations

ficial investigations or to initiate prosecutions, but the office often works with county election officers, other local officials and members of the voting public to make unofficial inquiries and collect information which may be used by local prosecutors or the Attorney General in deciding whether to prosecute.

The state has an administrative complaint procedure to remedy grievances, as required by HAVA. Complaints filed with the Secretary of State may produce evidence of illegal activities that would be referred to the county or district attorney for prosecution.



State of Kansas Poll Worker Manual

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Chapter 1Overview

Thank you for your service as a poll worker. As a poll worker, you serve at the most important part of the election process—the point where the ballot is handed to the voter. The procedures you use are the result of federal and state laws, guidance by the Kansas Secretary of State, and policies set by your county election officer. This training program is designed to help you become familiar with the Kansas voting process in general. The things you see here are true everywhere in our state, although these guidelines allow for some variation between counties.

Poll workers who have served during the past ten years have seen changes brought about by two significant laws—the Help America Vote Act (HAVA), passed by Congress in 2002, and the Kansas Secure and Fair Elections Act (SAFE), passed by the Kansas Legislature in 2011.

HAVA

The election world was changed by the 2000 election and the resulting federal legislation, the Help America Vote Act of 2002 (HAVA). Election officials at the state, county and local levels, as well as the voters themselves, are affected by the changes brought about by HAVA.

Some of the HAVA changes you see as a poll worker include:

- Training of election officials and poll workers is more thorough and uniform.
- New types of voting machines are included at the polling place.
- Accessibility for voters with disabilities is emphasized.

SAFE Act

The SAFE Act was passed to add more security to the voting process in Kansas. There are many significant changes in voter registration, advance voting and other areas of the election process resulting from SAFE, but the most important for you, the poll worker, is that every voter must show a photo ID when voting, with a few exceptions.

Chapter 2Polling Place Organization and Management

The polling place is organized and managed by the members of the election board under the direction of the county election officer. The election board's main duty is to administer the election procedure so that each qualified voter has an opportunity to vote, and to vote in the correct manner, so the ballot will count. The board should be aware of who is in the polling place and what activities are occurring at all times. Procedures are outlined in written manuals and should always be followed. Board members should not be required to make policy decisions or to exercise wide discretion. Questions that are not addressed in the manual should be referred to the county election officer.

A. Qualifications and Duties of Poll Workers

Election boards are composed of judges and clerks and usually consist of three members, although they may have as few as two members and they may have more than three. One judge is designated by the county election officer to serve as the supervising judge.

1. Qualifications

- a. Every poll worker must:
 - have the qualifications of a Kansas elector:
 - · U.S. citizen,
 - · 18 years of age or older, and
 - resident of Kansas
 - reside in the area served by the polling place where assigned (unless it becomes necessary for the county election officer to appoint them in another precinct due to a shortage. In such cases they are allowed to vote advance ballots due to their absence from their

Chapter 2: Polling Place Organization and Management

precincts on election day.)

• be trained

b. A poll worker may:

- be a candidate for a political party precinct committee position on the ballot
- be a spouse or relative of a candidate on the ballot

c. A poll worker <u>must not</u>:

- be a candidate on the ballot at the election in which they work, except as noted above
- leave the polling place during voting hours

Teenage poll workers

Each precinct may have one 16 or 17 year old poll worker to assist with whatever tasks are assigned by the county election officer or the supervising judge. Teenage poll workers must possess the constitutional qualifications of electors other than age: U.S. citizenship and residence.

Party affiliation

Members of the board, except for the supervising judge, should be half from each of the two major political parties, Democratic and Republican, to the extent possible.

2. Duties

a. The supervising judge:

- 1. has overall responsibility for the operation of the polling place
- 2. reports directly to the county election officer
- 3. oversees the activities of the other board members

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b. Judges and clerks:

- 1. report to the supervising judge
- 2. distribute and collect ballots, including provisional ballots
- 3. in some cases, count ballots

B. Polling place setup

1. Supplies and equipment

The supervising judge receives the supplies and equipment for the polling place from the county election officer according to the schedule arranged by the county election officer. The supervising judge is responsible for seeing that everything arrives safely and securely at the polling place early enough so that the poll can open promptly at the prescribed time. In some cases the county election officer may arrange to have voting equipment and/or supplies delivered by someone else.

Many polling place supplies are required; others are optional.

a. Required supplies:

- Ballots
- Poll book
- Advance voter list.
- Ballot box
- Voting booths
- Voting equipment
- Provisional ballot envelopes
- Printed notices to provisional voters
- Voter registration cards
- Voter's Rights and Responsibilities posters
- Voter instructions
- Signs (Vote Here, Accessible Entrance, notice of election date and polling hours)

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- Sample ballots
- Reference manual
- Election board worker oath forms
- Tally sheets (in some counties)
- Pencils/pens
- Authorized poll agent "Observer" name badges
- Affidavit of Former Precinct Resident (Form FP1)
- Declarations of Religious Objection to Voter ID (Form DRO)

b. Optional supplies:

- Flags
- Precinct maps
- List of polling places in county
- "I Voted" stickers
- flashlight
- cellular phone
- election board worker name tags
- magnifying glass

2. Poll book

The poll book is important because it is the tool you will use to determine who is eligible to vote in the precinct at which you are working. It tells you which voters have already voted in advance and which voters are exempt from showing photo identification. It must be kept at the table where voters check in and sign their names. It must not be allowed to leave the custody of the election board.

Some counties use electronic poll books. These poll books serve the same purpose as a paper poll book but they provide the poll worker with more information and they automate certain functions.

3. Advance voting list

The advance voting list is important because it is the main tool for ensuring that each voter votes once and only once. If a

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voter's name is on the advance list it means he/she has already voted in that election, or at least the voter has already received a ballot. Any such voter who shows up at the polls on election day must be notified that he/she is on the advance voter list and issued a <u>provisional</u> ballot if the voter requests to vote. If the voter has his/her advance ballot, the ballot should be given to the election board and voided. If the voter did not bring the ballot, a provisional ballot should still be issued. The ballot should be provisional in either instance.

4. Ballots

The ballot is obviously the key to the election. The purpose of the election is to allow eligible voters to express their preferences among the candidates and issues to be decided at the election. The ballot is the method for voters to make their choices known.

Some ballots are paper and some are electronic ballots on voting machines. Paper ballots may be scanned or hand-counted.

Ballots and voting machines should never be left unsecured and should never be in the sole custody of a single person. After the polls close, ballots must be accounted for, and the number of ballots must equal the number issued to the polling place.

C. Activities during polling hours

The election board acts under the direction of the county election officer and according to rules established by federal and state law, state regulations and the county election officer to regulate all activities occurring at the polling place on election day. Keep in mind the overriding purpose: to allow voters to cast their ballots privately and without interference from others. They may receive assistance if needed, but only upon request.

1. Control of the polling place

Besides the act of voting, certain activities are allowed in or

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near the polling place, although they may be restricted and in many cases they will not occur at all.

a. What is allowed

- observation by authorized poll agents
- media inquiries
- exit polling

b. What is prohibited

- electioneering (attempting to persuade voters how to vote, either at the polling place or within 250 feet of the entrance)
- disorderly conduct
- unauthorized persons within 3 feet of a voting booth, machine or table used by the election board
- unauthorized persons handling ballots

2. Categories of voters

Poll workers must be aware of the following categories of voters because they vote according to different rules:

- Provisional voters
- Advance voters
- Voters with disabilities
- Former precinct voters

3. Opening the polling place

Use this check list to open the polling place:

- 1. Notify the county election office if board members are absent
- 2. Post notices
 - a. "Vote Here" signs outside
 - b. Directions to accessible entrances if needed
 - c. Voter's Rights and Responsibilities posters
 - d. Sample ballots
 - e. Voter instructions
 - f. Date of election

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- 3. Check for campaign signs and literature and remove them
- 4. Set up voting booths and machines
- 5. Open container of supplies, check for completeness
- 6. Prepare ballots
 - a. This might mean organizing paper ballots or turning on voting machines.
 - b. Follow instructions provided by election office
- 7. Open poll promptly at 7:00 (6:00 in some counties) and begin receiving voters
- 8. Use the voting procedure in Chapter 3 below

D. Closing the poll

When the time arrives for closing the poll (usually 7:00 pm; it might be 8:00 in some counties), use the following procedure:

- 1. Lock outer doors. Allow any voters who are in line at the time the polls close to enter the polling place and receive ballots.
- 2. Secure ballots, ballot boxes and voting equipment. Prevent unauthorized access.
- 3. Canvass the votes according to instructions provided by the county election officer. Note: This applies only to counties using hand-counted paper ballots and precinct count optical scan systems. In counties using central count optical scan systems or electronic voting, ballots or data disks/cartridges will be transported to the county election office for tabulation
- 4. Count ballots and ensure the number of all types of ballots equals the number issued by the county election office.

Types of ballots:

- Regular
- Spoiled, voided
- Provisional
- Unvoted
- Advance ballots returned at poll

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- 5. Take inventory of supplies, pack in containers.
- 6. Complete wage and mileage claim forms as appropriate.
- 7. Return all voting materials to county election office as instructed.

Chapter 3 Voting

A. Party affiliation

When conducting the partisan primary election in August of even-numbered years, you must keep the following points in mind:

- Only the Democratic and Republican parties nominate candidates in the primary
- Each party decides who may vote in its primary.
 - The Kansas Democratic Party allows Democrats and unaffiliated voters to receive the Democratic ballot.
 - The Kansas Republican Party allows Republicans and unaffiliated voters who officially affiliate with the party to receive the Republican ballot. Registered voters who are unaffiliated with a party may complete a voter registration card, thereby joining the Republican Party, and receive that party's ballot.
- Registered voters who are shown as affiliated with one of the recognized parties on the poll book may not change affiliation at the poll.
- If there is a special question submitted election on the same day as the primary, all registered voters regardless of party affiliation may vote on that ballot question. In such cases there should be a separate ballot for the question.

Party affiliation, or lack thereof, may be ignored at these elections:

- City/school/community college elections
- November general elections in even-numbered years
- Special question submitted elections

B. Voting procedure

Procedure for Poll Worker

1. Ask each voter his/her name.

The name must match or be consistent with the name on the poll book and on the voter's ID document. See below.

2. Ask each voter for a photographic ID document.

Verify that the name is consistent with the name on the poll book, and that the photo on the ID document resembles the person standing before you.

If you are satisfied that the voter is the person depicted in the photo ID, write your initials in the space provided on the poll book.

Use the photographic ID only to verify the voter's name and appearance. Do not use it to verify the voter's address. Instead, use the poll book to verify the address the voter verbally provides you.

Return the ID document to the voter.

(See below for additional guidelines.)

3. Ask each voter his/her address.

Use the poll book to verify the name and address stated by the voter. If either is inconsistent, issue a provisional ballot. The address does not have to match the address on the voter's photo ID document.

4. Ask each voter to sign the poll book next to his/her name.

If a voter is physically unable to sign, a board member or a person of the voter's choice may sign the poll book at the voter's direction.

In situations where electronic poll books are used, signatures may be captured using an electronic signature pad instead of a paper poll book.

5. Issue a ballot to the voter.

If optical scan or paper ballots are used, direct the voter to an unoccupied voting booth. If electronic voting machines are used, direct the voter to an unoccupied machine.

If there is a question about the voter's qualifications, including name, address, or photo ID, issue a provisional ballot.

6. Instruct the voter on how to cast the ballot, including the operation of voting equipment (if appropriate), special questions on the ballot, and races and questions printed on the back of the ballot.

Never provide information to voters about specific candidates, issues or write-in candidates.

The voter is limited to five minutes in the voting booth if other voters are waiting.

- 7. If the voter tears, defaces, mismarks or in any way spoils the ballot, the voter may request a replacement ballot up to two times, for a total of no more than three ballots issued to the same voter.
- 8. When the voter is finished voting, instruct the voter to deposit the ballot in the ballot box. If the county uses electronic voting, this is not necessary.

9. Second chance voting instructions

In counties using central count optical scan systems or handcounted paper ballots, a member of the election board must instruct each voter to make sure the ballot is complete, no races were overvoted, and no stray marks were made on the ballot that might obscure the voter's intent or invalidate the ballot. This also may be accomplished by posting a notice where each voter will see it during the act of voting or before casting the ballot. In counties using precinct count optical scan systems or electronic voting machines, the second chance voting requirement is met without special instructions

10. Make notations on the poll book when voters receive assistance.

11. Keep track of void, objected to, and provisional ballots.

Whatever the situation, *never deny a voter a ballot*. Always give them at least a provisional ballot.

The only situations where a voter should leave without voting a ballot are:

- The voter chooses to leave without voting.
- The voter is in the wrong polling place and is going to the correct polling place or to the county election office to vote.

Advance ballots—If a voter has been mailed an advance ballot before the election but has not returned it to the election office and wishes to vote at the precinct on election day, the voter may return the advance ballot to the polling place and vote a provisional ballot. The election board voids the advance ballot. The voter should be allowed to vote a provisional ballot even if the voter fails to return the advance ballot. If the county election officer determines after the election that the voter did not vote another ballot at that election, the provisional ballot should be counted unless there is another reason for not counting it.

C. Voter identification

1. Valid forms of photographic ID:

- A driver's license or nondriver identification card issued by Kansas or by another state or district of the U.S.
- A concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the U.S.
- A U.S. passport
- An employee badge or identification document issued by a

municipal, county, state, or federal government office

- A military identification document issued by the U.S.
- A student identification card issued by an accredited postsecondary institution of education in the state of Kansas
- A public assistance identification card issued by a municipal, county, state, or federal government office

NOTE: Tribal member identification cards issued by Indian tribes recognized by the U.S. Department of the Interior may be added to the list of approved photo IDs. Approval by the Kansas Legislature is pending as of this writing.

2. Exemption from the ID requirement:

Any person whose religious beliefs prohibit photographic identification may be exempted from the photo ID requirement. Any such person must complete and sign a Declaration of Religious Objection (Form DRO).

Some voters will file the forms with the Secretary of State or the county election officer before the election. In such cases the poll book shows "ID exempt" next to the voters' names.

Some voters may sign them at the polling place. You should have copies of Form DRO on hand.

3. Guidelines on Assessing Photo ID Document

Here are three steps to follow in processing voter's ID documents. This information is intended to supplement Step 2 in the voting process outlined above in "Procedure for Poll Worker."

Name

Look at the name on the photo ID document to see if it is consistent with (1) the name the voter states verbally and (2) the name on the poll book.

Allow for abbreviations and nicknames such as "Wm." or "Bill" for William.

A voter might have a full middle name in one place and an

initial in another, or the space for the middle name might be blank in one place.

If the names are "consistent," it means they exactly match or are similar and not contradictory. In such cases, issue the voter a regular ballot unless there is a reason to suspect the names do not represent the same person.

If the name on the ID document does not match or is inconsistent with the name the voter verbally states or with the voter's name on the poll book, issue a provisional ballot.

Names might be different due to marriage, divorce, hyphenation or legal action. If the voter's name has changed and needs to be updated, issue a provisional ballot. This will require the voter to complete a voter registration card and the name can be updated for future elections, thereby preventing this discrepancy from recurring.

Examples of name variations

Acceptable variations

- John W. Doe John William Doe
- John Doe John W. Doe
- John Doe J. Doe
- Mary Smith Mary Smith-Johnson
- Mary Smith Johnson M. S. Johnson

Unacceptable variations (result in provisional ballots)

- John Doe Junior Doe
- Mary Smith Mary Johnson

Photograph

a. Compare the voter to the photograph on the ID document. Take into account possible changes in physical appearance such as hair color, glasses, facial hair, weight gain or loss, cosmetics, the aging process, injuries sustained by the voter, and other factors that might cause the voter's appear-

- ance to vary from the image in the photo.
- b. If you are satisfied that the voter is the person depicted in the photo, issue the voter a regular ballot unless you have already determined that the voter's ballot is provisional due to the name or some other factor.
- c. If you are uncertain whether the ID document belongs to the voter because the photo on the document is degraded or of poor quality, issue a regular ballot to the voter only if one of the following is true:
 - The date of birth on the voter's photo ID document matches the date of birth on the poll book.
 - The voter provides a different photo ID document that contains a photograph that looks like the voter.
 - You or another election board worker has personal knowledge that the voter is the person depicted in the photo. A board worker might be acquainted with the voter and might be aware of differences in the voter's appearance that led to the inconsistency with the photo. The voter might explain to you the reason for his or her difference in appearance. In such cases, if you have no reason to suspect the ID document is not valid, issue the voter a regular ballot.

Things to remember about photo IDs

- 1. These rules for reviewing voters' photo IDs do <u>not</u> exempt them from providing ID documents. All voters must provide photo ID in order to vote unless they complete and sign Form DRO, the Declaration of Religious Objection.
- 2. The address on the ID document does not have to match the poll book. Use the poll book and the voter's stated address, not the ID document, to verify the voter's address.
- 3. If the ID contains a date of birth, as a driver's license does, the date of birth does not have to match the date on the poll book. The photo ID is used to verify the voter's name and

appearance.

- 4. Persons age 65 or older may use expired ID documents. Some ID documents do not contain expiration dates; in such cases the date does not matter.
- 5. In some cases a photo may be degraded or of poor quality, making it difficult to tell if it is the photo of the voter. In such cases, if a poll worker has information about the voter that explains the discrepancy, a regular ballot may be issued. Or, if a voter is able to explain his/her situation to the satisfaction of the poll worker and/or the supervising judge, a regular ballot may be issued.

The main duties of all poll workers are to enforce the rules for voting, to issue regular ballots to all qualified registered voters, and to issue provisional ballots to persons who are, or may be, ineligible for one reason or another. Issue a provisional ballot to any person who does not meet the requirements to vote or who appears to be attempting to circumvent the requirements.

Determination by supervising judge

After following the procedure outlined above, if there is uncertainty about whether a voter's ID document is valid, the supervising judge shall make a decision regarding whether to issue a regular or a provisional ballot.

D. Provisional ballots

When there is any doubt about a voter's eligibility to vote at the precinct where the voter attempts to vote, a provisional ballot should be provided, even if the voter is apparently unqualified.

If the voter is in the wrong precinct, send him/her to the correct precinct or to the county election office to receive the correct ballot. If you're unable to do so, or if the voter insists on voting in your polling place, issue a provisional ballot.

1. Procedure for Administering Provisional Ballots

- a. Before issuing a ballot, instruct the voter to complete a new voter registration application form. Attach it to a provisional ballot envelope.
- b. Write the reason for the provisional ballot on the envelope, along with the voter's number in the poll book. Then,
 - Two poll workers must sign the envelope.
 - One of the board workers writes the word "provisional" next to the voter's name in the poll book.
 - The voter must sign the affirmation on the envelope. (The affirmation may be a separate form rather than printed on the envelope.)
- c. Instruct the voter to mark a ballot. If electronic voting machines are normally used, the voter is given a paper advance voting ballot because electronic voting machines do not accommodate provisional ballots. When the voter is finished voting, seal the ballot in the provisional ballot envelope.
- d. Hand the voter printed instructions for obtaining information about whether the voter's provisional ballot was counted. These instructions will tell the voter to telephone the county election office or visit an Internet web site to find out if the ballot counted and, if not, why. The instructions might also inform the voter how to provide additional or corrected information to ensure that the provisional ballot will count.
- e. Set the envelope containing the ballot aside with other provisional ballots. Group them and deliver them to the county election officer with the other ballots after the polls close.

E. Voters with Disabilities

Each polling place is equipped with at least one special electronic voting machine to allow voters with disabilities to vote privately and without assistance. The machines are equipped with headphones and audio ballots to allow visually impaired voters to hear the ballot choices and make their selections on keypads. The machines and voting booths are adjustable to wheelchair height.

Some voters with disabilities may choose to receive assistance instead of using the special voting equipment.

1. Alternative forms of signatures

A voter who is unable to sign the poll book due to a disability may:

- a. Ask an election board worker to sign
- b. Ask another person of the voter's choosing to sign
- c. Apply a signature by using a "mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding."

2. Voters Requiring Assistance

A voter requiring assistance has these options:

- a. Two poll workers of different political parties may provide assistance to the voter.
- b. The voter may receive assistance from a person of the voter's choice.
- c. The voter may have two poll workers bring a ballot to the poll entrance or to an outside location, as long as it is within 250 feet of the poll. This is called "curbside voting."

See Chapter 4 for more information.

F. Second chance voting

Federal law requires second chance voting to ensure that each voter has the greatest possible opportunity to make his/her vote count. Second chance voting means the voter has an opportunity to privately review the ballot and correct any errors, undervotes or overvotes before casting the ballot.

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Second chance voting may be accomplished either of 2 ways:

- 1. In polling places using electronic voting systems or precinct count optical scan systems, the second chance voting requirements are met. Electronic voting systems prevent mismarks and overvotes. Precinct count optical scan systems detect the errors and notify the voter so the ballot can be corrected before it is cast.
- 2. In polling places using central count optical scan systems or hand-counted paper ballots, the voter must be notified of the effects of overvoting and receive instructions on how to review and correct the ballot. This is done either by having a poll worker verbally instruct each voter, by posting notices prominently where the voter will see them before depositing the ballot in the ballot box, or by handing each voter a printed notice.

Poll workers receive instructions from the county election officer that are specific to the type of voting system used in the county.

G. Write-in votes

Write-in votes are allowed in any election except:

- 1. presidential preference primaries,
- 2. a primary election where there is at least one candidate filed for the office, and
- 3. special question submitted elections.

When counting ballots, poll workers must constantly look for write-in votes, including ballots on which the voters failed to color the oval or mark the box next to the write-in line. Any write-in votes must be tallied and reported with the other election returns to the county election office. If the intent of the voter is unclear in a write-in vote, the ballot should be challenged (made provisional) and referred to the county election office for resolution.

H. Advance ballots returned at poll

If a voter who has received an advance ballot before the election comes to the polling place during voting hours and returns his/ her advance ballot, the voter should be issued a provisional ballot. This is done whether the voter marked the advance ballot or not. The advance ballot is voided and returned to the county election office with other voided ballots.

I. Former precinct voters

A voter who has moved anywhere in the state within 30 days of election day is entitled to vote a regular ballot after completing an Affidavit of Former Precinct Resident (Form FP1).

Chapter 4 Accessibility

Polling places are public facilities, and thus they are required to be fully accessible. When conducting an election, this means 3 things:

- 1. physical access to the polling place
- 2. access to a ballot to allow voting in private
- 3. access to a ballot printed in a language the voter understands

A. Polling place accessibility

Polling places are required to be accessible to all voters. Accessibility means that any voter, including a voter with any combination of physical or mental disabilities, must be able to enter the physical structure of the polling place and the voting booth area and to exit the polling place without special assistance. Temporary accommodations may be used to make polling places accessible for election day. If your polling place is located in a structure that is not fully accessible, instructions will be included as part of the normal polling place setup procedure. You may receive instructions specific to your polling place regarding the installation of a temporary ramp or wooden boardwalk, handles and doorbells, or the posting of special signs.

Some voters with disabilities may prefer to receive assistance from a poll worker or another person of their choice, but it is important to remember that the laws require that all voters, even those with disabilities, must be provided the means to vote privately and without assistance

B. Ballot accessibility

Each polling place is equipped with at least one electronic vot-

ing machine to allow voters with disabilities, including visually impaired voters, to vote independently and privately.

The voting machine is made fully accessible by adding an audio component that allows the visually impaired voter to hear the ballot choices read through headphones and make selections by pressing buttons.

Voters with other types of disabilities are provided ballots or voting machines at wheelchair height or with other accommodations to allow full access.

C. Spanish ballot access

Several counties (Finney, Ford, Grant and Seward) are required to provide the means to vote in Spanish. Other counties may choose to offer these services.

At the polling place, language accessibility means:

- 1. ballots printed in Spanish
- 2. all other required voting materials printed in Spanish
- 3. language assistance in the form of interpreters for voters who request it

Poll workers serving in precincts providing Spanish voting assistance will receive these materials with their other polling place supplies and will receive special instructions from the county election office.

D. Sensitivity

Anyone working in a polling place needs to be fully aware of the procedures for providing full access to the right to vote.

Keep the following points in mind when serving voters with disabilities:

- Offer to shake hands when introduced. At least offer the same greeting to everyone.
- Identify yourself and others who are with you when meet-

- ing a visually impaired person. Let the person know who and where you are.
- Listen attentively when talking to people who have difficulty speaking and wait for them to finish.
- Speak directly to the person with a disability rather to the person's companion or sign language interpreter. Do not speak loudly to a visually impaired voter.
- Tap a deaf person on the shoulder or wave a hand to get their attention. Speak calmly, slowly and directly to a person with a hearing impairment. Don't shout or speak directly into the person's ear. Write a note if necessary.
- Place yourself at eye level when talking to a person in a wheelchair or on crutches. You might want to sit down.
- When assistance is requested, allow the person to take your arm and tell him/her if you are approaching steps or inclines.
- Allow the voter to receive assistance from a person of his/ her choice if preferred.
- Be considerate of the extra time a voter with a disability or an elderly voter might need in getting into the polling place, marking the ballot, and exiting.
- Before pushing a voter in a wheelchair, ask if you may do so and how you should proceed.
- Treat adults as adults. Don't treat an individual with a disability like a child.
- Animals that assist voters with disabilities are admitted to all buildings. Do not pet or play with them—they are working.
- Don't lean against wheel chairs, carts, or canes. Persons using such equipment consider them as extensions of their bodies.
- Relax. Don't be embarrassed if you use common expressions that seem to relate to a person's disability.
- Adjust the voting booth or voting machine as needed.
- If possible, provide seating outside the voting area for voters to wait for their rides or for their companions to vote.

Chapter 5 Special Situations

Expect the unexpected. The following situations could occur at any time while you are working at your polling place. When unusual circumstances arise, rely on common sense, the training you have received, the instructions you have been provided, and remember to report these situations to the county election officer.

Usually, the only people in the polling place are the poll workers and voters who are either in the act of voting or waiting their turn. But on occasion, certain other people may be allowed.

A. Authorized poll agents

Elections are conducted as openly and with as much public access as possible, still recognizing the need for control to preserve the secrecy of individuals' ballots. At most points in the electoral process, interested individuals and groups may observe the proceedings at the precinct polling places, at the county election office, or at the county or state canvass.

The principal means recognized in state law for public observation of electoral proceedings is the authorized poll agent. Sometimes they are referred to as poll watchers.

Who are poll agents?

There are two ways to be designated as an authorized poll agent.

- 1. Each of the following persons is automatically a poll agent because of the position they hold:
 - state or county party chair
 - chair of a committee formed to support or oppose a question submitted election
 - · candidate

- precinct committeeman or woman
- a write-in candidate for statewide office who has filed an affidavit of write-in candidacy with the secretary of state
- 2. A person may be appointed to be a poll agent by one of the persons listed above.

How many?

Each person authorized to appoint poll agents may appoint one per polling place.

Appointment process

Appointments must be made in writing on a form approved by the Secretary of State. Form PA is provided for this purpose. The appointment form must be filed with the county election office, but no deadline is specified, so they may be filed up to and on election day.

Poll agents must carry their authorization forms with them at any time they are acting as poll agents, and they must present the forms when asked by a precinct or county election worker. Further, they must wear an "observer" badge issued by the county election officer. County election officers are encouraged to supply badges to the supervising judge at each polling place so they can issue them to poll agents who are appointed on election day.

When a candidate or precinct committee person is acting as an authorized poll agent, he/she must carry identification supplied by the county election officer. In some counties this identification is a letter, but some counties supply a badge to be worn on the lapel.

What poll agents may do

Poll agents may observe the voting process at polling places and may observe the original, intermediate and final canvasses. They may request to have an election judge at the original canvass display a ballot to them, but the poll agent may not touch the ballot.

Limits on poll agents' activities

Poll agents must carry their appointment forms with them. Candidates and precinct committee persons acting as poll agents must carry identification supplied by the county election officer.

Poll agents must act in accordance with statutes, regulations adopted by the Secretary of State, and directives of the county election officer and supervising judge of any polling place. For instance, they are subject to the same statute prohibiting electioneering as anyone else.

Poll agents may not participate in the administration of ballots or the ballot counting and tabulating processes. They may not handle ballots.

Perhaps most important, poll agents may not interfere with, hinder or obstruct any voter during the act of voting or when entering or exiting the polling place.

Poll agents do not have the authority to challenge ballots, or to cause ballots to be made provisional. Only poll workers and the county election officer are authorized to challenge ballots.

B. Election crimes

Of all the election crimes defined in state law, poll workers are most likely to encounter the following three: electioneering, disorderly election conduct, and voter intimidation.

1. Electioneering

Electioneering is any attempt made within 250 feet of the entrance of a polling place to persuade a voter to vote one way or another. This includes speaking to voters or wearing, distributing or exhibiting labels, signs, stickers or clothing bearing campaign messages. Electioneering does not include bumper stickers on vehicles used to transport voters to the polling place.

2. Disorderly election conduct

Disorderly election conduct is any of the following activities done within 250 feet of a polling place:

- Disturbing the peace
- Leaving with a ballot
- Approaching within 3 feet of a voting booth, voting machine or table at the polling place except for the act of voting
- Interrupting, hindering or obstructing a voter from voting
- Soliciting contributions or conducting unauthorized elections

3. Voter intimidation

Voter intimidation is any attempt to affect a person's right to vote as he/she chooses through the use of threats, intimidation or coercion.

What to do:

In clear cases of illegal activity, the supervising judge should:

- 1. instruct the offending party to leave the polling place and remain at least 250 feet from the entrance for the duration of voting hours
- 2. report the incident to the county election officer
- 3. report the incident to local law enforcement officials if instructed to do so by the county election officer.

If poll workers suspect certain activities occurring at the polling place are illegal but are unsure, the supervising judge should report the incident to the county election officer and ask for instructions.

C. Demanding voters

Some voters may be more difficult to deal with than others. They may be angry, frustrated, demanding and accusatory.

In such cases, keep in mind the following:

• It is their constitutional right to vote that may be at stake,

Poll Worker Manual

- and many people feel very strongly about that.
- There's probably a reason for their behavior.
- It's probably not personal—they may be frustrated by the system or by someone else's (or their own) mistake.
- They might be right.

What to do:

- Be patient.
- Identify exactly what the problem is.
- Offer a solution, or a choice of solutions, if possible.
- When in doubt, issue a provisional ballot.
- Inform the individual that official complaints may be filed with the Secretary of State's office.
- Report extreme cases or abusive behavior to the county election office.

D. Media

Most dealings with the media (newspapers, journals, radio and television) go through the county election office. In dealing with the media at the polling place, follow instructions provided by the county election officer. Sometimes the media will request permission to be at one or more polling places, or in some cases they will show up unannounced. Usually the media's interest in being at the polls is for normal election day coverage: assessing turnout levels, monitoring the mood of the electorate, following candidates, photographing the voting process, and the like.

In such cases it is important remember the following points:

- Every polling place is under the control of the county election officer and the supervising judge.
- Activities at the polling place must be strictly limited.
- Even so, election officers should not be seen as excluding people from the process or keeping the media from doing their job or, worse, hiding anything.

Photography

If the media wish to photograph activities at a polling place, it should be treated like any other request—it is up to the county election officer and the supervising judge whether to allow it. Generally it has been allowed with one important limitation: no one should ever be allowed to photograph a ballot or the face of a voting machine or the inside of an occupied voting booth. Also, photography should be limited to recognized media representatives.

Exit polls

One of the traditional methods used by the media in their election coverage is exit polling, or interviewing voters as they leave the polling place.

Exit polling is permissible within the following limits:

Pollsters must follow normal rules imposed by the county election officer and the supervising judge.

Electioneering is still illegal, and it is considered disorderly election conduct to "interrupt, hinder or obstruct any person approaching the voting place for the purpose of voting."

Election results

In many counties poll workers do not have vote totals and therefore cannot give them out when members of the media request them. In counties where ballot tabulations are done at the polling place, however, the poll workers should never give out any election results, even partial results, to the media unless the county election office has explicitly authorized it.

E. Emergencies

Election officers at all levels must be prepared for unforeseen emergencies. An emergency is any event or situation that disrupts, or threatens to disrupt, the normal voting procedure on election day.

Poll Worker Manual

Emergencies include, but are not limited to:

- fires
- floods
- tornadoes
- electrical outages
- equipment malfunctions
- loss of ballots or other election supplies
- misprinted ballots
- bomb scares or terrorist acts
- failure of poll workers to report for duty, or
- disruptions by voters, candidates, party and campaign workers, or poll agents.

The election board may be notified of an emergency by the county election officer, and in such cases the board will receive special instructions. If an emergency arises at the polling place, the supervising judge should report it immediately to the county election office and ask for instructions.

The general procedure for dealing with an emergency is:

- Identify the nature of the problem.
- Define and limit the number of voters and ballots affected.
- Take appropriate steps to allow voters for the remainder of the day to receive and cast correct ballots.
- If voters have been unable to vote or if they have voted incorrect ballots, contact them if possible and issue correct ballots.

SAFE Act Forms

Form AV1M: Application for Advance Ballot By Mail Form AV1P: Application for Advance Ballot In Person Form AV1C: Combined Application for Advance Ballot

Summary

The application for an advance ballot has been divided into three separate forms: one for mailed ballots, one for in-person ballots, and one combined form that may be used in either instance.

KSA 25-1122d (a): The application for an advance voting ballot to be transmitted by

Legal Authority

mail shall be accompanied by	an affirmation in subst	ance as follows:	
Affirmation of an Elector of	of the County of	and State of Kan	sas Desiring to
Vote an Advance Voting Ba	allot		
State of, Co	ounty of, s	s:	
Ι,			
(Please print name)			
do solemnly affirm under	r penalty of perjury t	hat I am a qualifie	ed elector of the
precinct of the	ward, residing at num	nber on _	street,
city of			
, or in the township of	, county of	f, and	d state of Kansas.
My date of birth is	(month/day/year	r).	

I understand that a current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot. If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of identification with this application in order to receive a ballot:

(1) A copy of any one of the following types of photographic identification: a driver's license issued by Kansas or by another state or district of the United States, a state identification card issued by Kansas or by another state or district of the United States, a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States, a United States

state, or federal government office or agency, a military identification document issued by						
the United States, a student identification card issued by an accredited post secondary insti-						
tution of education in the state of Kansas, or a public assistance identification card issued by a municipal, county, state, or federal government office or agency.						
otherwise vote at the election to be held on (date). My political party is						
(to be filled in only when requesting primary election ballots). I desire my						
ballots to be sent to the following address:						
Signature of voter.						
Note: False statement on this affirmation is a severity level 9, nonperson felony.						
(b) The application for an advance voting ballot to be transmitted in person shall be						
accompanied by an affirmation in substance as follows:						
Affirmation of an Elector of the County of and State of Kansas Desiring to						
Vote an Advance Voting Ballot						
State of, County of, ss:						
I,						
(Please print name)						
do solemnly affirm under penalty of perjury that I am a qualified elector of the						
precinct of the ward, residing at number on						
street, city of						
, or in the township of, county of, and state of Kansas.						
My date of birth is (month/day/year).						
I am entitled to vote an advance voting ballot and I have not voted and will not otherwise						
vote at the election to be held on (date). My political party is						
(to be filled in only when requesting primary election ballots).						
Signature of voter.						
Note: False statement on this affirmation is a severity level 9, nonperson felony.						

passport, an employee badge or identification document issued by a municipal, county,

Office of the Kansas Secretary of State **Application for Advance Ballot by Mail**DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



1. Affirmation			
Affirmation of an Elector of the County of, County of		Kansas Desiring to Vote an a (where application is comp	
2. Voter Identification Requirements			
I understand that my current and valid Kansas driver must be provided in order to receive a ballot.	's license number or K	ansas nondriver's identific	ation card number
Current Kansas driver's license number or nondriver	's identification card nu	ımber:	
If I do not have a current and valid Kansas driver's lie must provide a copy of one of the following forms of			
 Driver's license issued by Kansas or another state Nondriver's ID card issued by Kansas or another state U.S. passport Concealed carry of handgun license issued by Kansas or another state 	U.S. rStudeeduca	byee badge or ID document issue military ID ent ID card issued by an accredite ational institution c assistance ID card issued by a	ed Kansas postsecondary
3. Personal Information Please print.			
Last Name First Name		M.I. Date of Birth (MM/I	DD/YY)
Residential Address Political Party (To be filled in only when requesting a primary elect 4. Address to Mail Ballot (if different from reside		State Republican	Zip Code
Mailing Address	City	State	Zip Code
Note: The ballot may be mailed only to the voter's residential or metemporary residential address, or to a medical care facility where disability or who lacks proficiency in the English language. Ballots	the voter resides. These rest	rictions do not apply to a voter w	
5. Voter Signature Note: False statement on this affirm	mation is a severity level 9,	nonperson felony.	
I do solemnly affirm under penalty of perjury that I are entitled to vote an advance voting ballot and I have remarked (date).	•	•	
Required Signature of Voter	Date (MM/DD/YY)	Phon	e Number
FOR OFFICE USE ONLY Date App. Rec'd	Ballot Mailed	Transmitted by	_

Office of the Kansas Secretary of State **Application for Advance Ballot in Person**DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



1. Affirmation					
Affirmation of an Elector of the County State of,					
2. Voter Identification Requirem	ents				
I understand that I must provide on	e of the following forms	of photo identification	on:		
 Driver's license issued by Kansas Nondriver's ID card issued by Kar U.S. passport Concealed carry of handgun licen or another state 	nsas or another state	U.S. militaStudent ID education	ary ID O card issued b al institution	y an accredite	d by a government office d Kansas postsecondary government office
3. Personal Information Please	print.				
Last Name	First Name		M.I. D	ate of Birth (MM/D	D/YY)
Residential Address	Cit	y		tate	Zip Code
Political Party (To be filled in only when requ	esting a primary election ball	ot): Democratic	Republican		
4. Voter Signature Note: False sta					
(date).					
Required Signature of Voter	Da	ite (MM/DD/YY)		Phone	Number
FOR OF	FICE USE ONLY Date App. Rec	'd Transmitte	ed by		

Combined Application for Advance Voting Ballot DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



1. Affirmation			
	Elector of the County of, County of	and State of Kansas Desiring to Vote an Adva , ss: (where application is complete	
2. Ballot Type	& Requirements Please select one.		
☐ By Mail	I understand that my current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot. If I do not have either, I must provide a copy of one of the forms of identification listed to the right with this application in order to receive a ballot.	 Valid Photo ID Documents Driver's license issued by Kansas of Nondriver's ID card issued by Kansas state U.S. passport Concealed carry of handgun licens Kansas or another state Employee badge or ID document is government office U.S. military ID 	e issued by
☐ In Person	I understand that I must provide one of the forms of photo identification listed to the right.	 Student ID card issued by an accrepostsecondary educational institution. Public assistance ID card issued by office 	on
3. Personal In	formation Please print. First Name	M.I. Date of Birth (MM/DD/YY)	
Last Name	riist Name	w.i. Date of Bitti (אואי)	
	City the filled in only when requesting a primary election ballot) Mail Ballot (if different from residential ad		Zip Code
Mailing Address	City	State	Zip Code
temporary residenti	ay be mailed only to the voter's residential or mailing addial address, or to a medical care facility where the voter recks proficiency in the English language. Ballots cannot be	esides. These restrictions do not apply to a voter who ha	
5. Voter Signa	ature Note: False statement on this affirmation is	a severity level 9, nonperson felony.	
	ffirm under penalty of perjury that I am a qual an advance voting ballot and I have not voted (date).		
Required	Signature of Voter Date	(MM/DD/YY) Phone Numb	er
	FOR OFFICE USE ONLY Date App. Rec'd.	Ballot Mailed Transmitted by	

Form AV2: Application for Permanent Advance Voting Status

Summary

The application for permanent advance voting status was revised due to the SAFE Act. All permanent advance voters are exempt from photo ID. This includes those who were on the list before January 1, 2012 and those who apply for the permanent status after that date.

Legal Authority

25-1122d(c): An application for permanent advance voting status shall be on a form prescribed by the secretary of state for this purpose. Such application shall contain an affirmation concerning substantially the same information required in subsection (a) and in addition thereto a statement regarding the permanent character of such illness or disability.

Office of the Kansas Secretary of State Application for Permanent Advance Voting Status DOWNLOAD THIS FORM AT WWW.SOS.KS.GOV



1. Affirmation		
Affirmation of an Elector of the County of	and :	State of Kansas Applying for
Permanent Advance Voting Status	(····l-	
State of, County of	, ss: (wne	ere application is completed)
2. Applying for Permanent Advance Voting Status		
Applicants for permanent advance voting status must have have been diagnosed as having a permanent illness. The na		
3. Personal Information Please print.		
Last Name First Name)	M.I.
Residential Address		
City	State	Zip Code
Political Party: O Democratic O Republican	Date of bird	th:
4. Address to Mail Ballot (if different from residential address)	ress)	
Mailing Address		
City	State	Zip Code
Note: The ballot may be mailed only to the voter's residential or voter registration list, to the voter's temporary residential addres resides. These restrictions do not apply to a voter who has an ill English language. Ballots cannot be mailed until 20 days before	s, or to a medioness, disability	cal care facility where the voter
5. Voter Signature Note: False statement on this affirmation	n is a severity le	evel 9, nonperson felony.
I do solemnly affirm under penalty of perjury that I am a quabove. I further affirm that I will not vote more than once at		_
Required Signature of Voter Date	e (MM/DD/YY	Phone Number
FOR OFFICE USE ONLY Date App. Rec'	d	

Fee Waiver for Nondriver ID Card

Summary

A registered voter who does not possess any of the acceptable photographic identification documents and who wishes to vote may apply for a free nondriver's identification card at the Division of Motor Vehicles. The person must sign a form containing an affidavit stating that he/she is registered to vote and does not possess a photographic identification document.

Legal Authority

KSA 8-1324(g)(2): The division* shall not require or accept payment of application or photo fees under this subsection for any person 17 years of age or older for purposes of meeting the voter identification requirements of K.S.A. 25-2908, and amendments thereto. Such person shall: (A) Swear under oath that such person desires an identification card in order to vote in an election in Kansas and that such person does not possess any of the forms of identification acceptable under K.S.A. 25-2908, and amendments thereto. The affidavit shall specifically list the acceptable forms of identification under K.S.A. 25-2908, and amendments thereto.

- (B) Such person shall also produce evidence that such person is registered to vote in Kansas.
- * "Division" refers to the Kansas Department of Revenue's Division of Motor Vehicles.

Division of Vehicles, Kansas Department of Revenue

Certification Requesting Fee Waiver for Nondriver Identification Card

Download this form at www.ksrevenue.org

Section 1 Notice

Photographic identification is required to vote in Kansas. Any registered voter who does not possess a valid photographic identification document may receive a fee waiver when applying for a Kansas nondriver's identification card ("ID Card") from the Kansas Division of Vehicles by completing this form and providing evidence of voter registration. Acceptance of this form and waiver of the ID Card fee shall not relieve the applicant of satisfying the Division's other, standard requirements for issuance of an ID Card. (i.e. lawful presence, identity, residency, etc.)

Section 2 Voter Identification Requirements

Pursuant to K.S.A. 2011 Supp. 25-2908, the following documents may be used as photographic identification for purposes of voting in Kansas.

- Driver's license issued by Kansas or another state
- ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- a public assistance identification card issued by a government office or agency.

Section 3 Certification

I hereby certify under penalty of perjury that following statements are true and correct:

- a. I desire a Kansas ID Card in order to vote in an election in Kansas;
- b. I am registered to vote in Kansas;
- c. that I do not possess any of the forms, as set out in Section 2, required as proper photographic identification for Kansas voting purposes;
- d. I have provided the Division with true and accurate evidence of current, Kansas voting registration status
- e. That I am 17 years or older at the time of making this certification; and
- f. That I do not currently have a valid Driver's License issued by Kansas or another state.

Required			
·	Signature of Applicant/Voter	Name of Applicant/Voter (please print)	Date (MM/DD/YY) Executed

Standard Kansas ID Card Requirements, pursuant to K.S.A. 2010 Supp. 8-1324

For the purpose of obtaining a Kansas ID Card, an applicant shall submit, with the application, acceptable documentation of: 1) full legal name; 2) date of birth; 3) proof of lawful presence in the United States; and 4) proof of Kansas principal residential address. A complete list of acceptable documents for obtaining a Kansas ID Card is available at all State and County driver's license issuance locations. The list, form DE56a, may be accessed at: http://ksrevenue.org/dmvproof.html. A complete list of driver's license issuance locations is available at: http://ksrevenue.org/dmvproof.html.

Form DRO: Declaration of Religious Objection to Photographic Identification

Summary

A registered voter whose religious beliefs prohibit the person from possessing a photographic identification document may be exempted from providing photographic identification when voting. The voter must sign a declaration describing the nature of his/her religious beliefs. The declaration may be filed with the Secretary of State or the county election officer at any time before the upcoming election, or it may be filed with the election office when applying for an advance ballot or filed with the election board when voting on election day.

Legal Authority

KSA 25-2908(i)(5): The following persons are exempt from the photographic identification document requirements of this section:

(5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

Declaration of Religious Objection to Photographic Identification



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4	14	- al-	4:	
1	Intr	oou	ICTI	on

Kansas law requires each voter to provide photographic identification before receiving a ballot. An exemption is provided for persons whose religious beliefs prohibit photographic identification. Any person seeking an exemption must complete this form and submit it to the Secretary of State or to the county election office in the county where the voter is registered.

2. Statement of Religious Beliefs		
The nature of my religious beliefs is described below:		
		
		· · · · · · · · · · · · · · · · · · ·
3. Voter Signature Note: False statement on this affirmation is	s a severity level 9, nonperson felony.	
I hereby declare that my religious beliefs prohibit me from parti- seek exemption from the requirement to provide photographic	cipating in photographic identification ar	nd that, due to my beliefs, I
seek exemplion from the requirement to provide photographic	identinication at the election to be field t	Date (MM/DD/YY)
Required Signature of Voter Name	me of Voter (please print)	Date (MM/DD/YY)

4. Contact Information

Contact the Kansas Secretary of State at 120 SW 10th Ave., Topeka, KS, 66612 by phone at 1-800-262-8683 (VOTE) or fax at 1-785-291-3051. You can also email the Elections Division at **election@sos.ks.gov**, or visit **www.sos.ks.gov**.

See the back side of this form for county election office contact information.

Allen County 1 N Washington Iola, KS 66749 Phone: (620) 365-1407 Fax: (620) 365-1441

Anderson County 100 E 4th Garnett, KS 66032 Phone: (785) 448-6841 Fax: (785) 448-5621

Atchison County 423 N 5th Atchison, KS 66002-1861 Phone: (913) 367-1653 Fax: (913) 367-0227

Barber County 120 E Washington Medicine Lodge, KS 67104 Phone: (620) 886-3961 Fax: (620) 886-5425

Barton County Room 202, 1400 Main St. Great Bend, KS 67530 Phone: (620) 793-1835 Fax: (620) 793-1990

Bourbon County 210 S National Ft Scott, KS 66701 Phone: (620) 223-3800 Fax: (620) 223-5832

Brown County 601 Oregon St Hiawatha, KS 66434 Phone: (785) 742-2581 Fax: (785) 742-7705

Butler County 205 W Central Courthouse El Dorado, KS 67042 Phone: (316) 322-4233 Fax: (316) 321-1011

Chase County PO Box 529 Cottonwood Falls, KS 66845-0547 Phone: (620) 273-6423 Fax: (620) 273-6617

Chautauqua County 215 N Chautauqua Sedan, KS 67361 Phone: (620) 725-5800 Fax: (620) 725-5801

Cherokee County PO Box 14, 100 W Maple Columbus, KS 66725 Phone: (620) 429-2042 Fax: (620) 429-1042

Cheyenne County PO Box 985, 212 E Washington St Francis, KS 67756 Phone: (785) 332-8800 Fax: (785) 332-8825

Clark County PO Box 886, 913 Highland Ashland, KS 67831 Phone: (620) 635-2813 Fax: (620) 635-2051

Clay County PO Box 98, 712 5th St. Clay Center, KS 67432 Phone: (785) 632-2552 Fax: (785) 632-5856

Cloud County 811 Washington Concordia, KS 66901 Phone: (785) 243-8110 Fax: (785) 243-8123

Coffey County Room 202, 110 S 6th Burlington, KS 66839 Phone: (620) 364-2191 Fax: (620) 364-8975

Comanche County Box 776, 201 S New York Coldwater, KS 67029 Phone: (620) 582-2361 Fax: (620) 582-2426

Cowley County 311 E 9th Winfield, KS 67156 Phone: (620) 221-5495 Fax: (620) 221-5498

Crawford County PO Box 249, 111 E Forest Girard, KS 66743-0249 Phone: (620) 724-6115 Fax: (620) 724-6007

Decatur County PO Box 28 Oberlin, KS 67749 Phone: (785) 475-8102 Fax: (785) 475-8150

Dickinson County PO Box 248, 109 E 1st, Ste. 207 Abilene, KS 67410 Phone: (785) 263-3774 Fax: (785) 263-2045

Doniphan County PO Box 278 Trov. KS 66087 Phone: (785) 985-3513 Fax: (785) 985-3723

Douglas County 1100 Massachusetts St Lawrence, KS 66044 Phone: (785) 832-5281 Fax: (785) 832-5192

Edwards County 312 Massachusetts Kinsley, KS 67547 Phone: (620) 659-3000 Fax: (620) 659-2583

Elk County PO Box 606, 127 N Pine Howard, KS 67349 Phone: (620) 374-2490 Fax: (620) 374-2771

Ellis County PO Box 720 Havs. KS 67601 Phone: (785) 628-9410 Fax: (785) 628-9413

Ellsworth County 210 N Kansas Ellsworth, KS 67439 Phone: (785) 472-4161 Fax: (785) 472-3818

Finney County Finney Co. Admin. Center 311 N. 9th St., P.O. Box M Garden City, KS 67846 Phone: (620) 272-3522 Fax: (620) 272-3575

Ford County 100 Gunsmoke Dodge City, KS 67801 Phone: (620) 227-4550 Fax: (620) 227-4699

Franklin County 315 S Main Ottawa, KS 66067 Phone: (785) 229-3410 Fax: (785) 229-3419

311 N Main

PO Box 321

Oskaloosa, KS 66066

Fax: (785) 863-3135

Phone: (785) 863-2272

Geary County 200 É 8th ST Junction City, KS 66441 Phone: (785) 238-3912 Fax: (785) 238-5419

Gove County PO Box 128 Gove, KS 67736 Phone: (785) 938-2300 Fax: (785) 938-4486

Harper County

201 N Jennings

Anthony, KS 67003

Fax: (620) 842-3455

Phone: (620) 842-5555

Graham County 410 N Pomeroy Hill City, KS 67642 Phone: (785) 421-3453 Fax: (785) 421-6374

PO Box 687, 8th & Main

Phone: (316) 284-6842

Fax: (316) 284-6856

Harvey County

Newton, KS 67114

Grant County 108 S Glenn Ulysses, KS 67880 Phone: (620) 356-1335 Fax: (620) 356-3081

PO Box 518, 300 Inman St

Gray County PO Box 487 Cimarron, KS 67835-0487 Phone: (620) 855-3618 Fax: (620) 855-3107

Greeley County P.O. Box 277 Tribune, KS 67879 Phone: (620) 376-4256

Eureka, KS 67045 Phone: (620) 583-8121 Fax: (620) 376-2294 Fax: (620) 583-8124 **Jackson County** Jefferson County

Greenwood County **Hamilton County** PO Box 1167, 219 N Main Syracuse, KS 67878 Phone: (620) 384-5629 Fax: (620) 384-5853

Jewell County 307 N Commercial

Mankato, KS 66956

Fax: (785) 378-3037

Phone: (785) 378-4020

Johnson County 2101 E Kansas City Rd Olathe, KS 66061 Phone: (913) 782-3441 Fax: (913) 791-1753

Kearny County PO Box 86 304 N Main Lakin, KS 67860 Phone: (620) 355-6422

Fax: (620) 355-7382

Kingman County 130 N Spruce Kingman, KS 67068 Phone: (620) 532-2521 Fax: (620) 532-5082

Haskell County

Sublette, KS 67877

Phone: (620) 675-2263

Fax: (620) 675-2681

Hodgeman County PO Box 247, 500 Main Jetmore, KS 67854 Phone: (620) 357-6421 Fax: (620) 357-6313

211 Fast Florida Avenue

Greensburg, KS 67054

Phone: (620) 723-3366

Fax: (620) 723-3234

Fax: (620) 341-3415

Kiowa County

400 New York Holton, KS 66436 Phone: (785) 364-2891 Fax: (785) 364-4204

Labette County PO Box 387, 501 Merchant Lane County PO Box 788, 144 S Lane Oswego, KS 67356 Dighton, KS 67839 Phone: (620) 795-2138 Phone: (620) 397-5356 Fax: (620) 795-2928 Fax: (620) 397-5419

Leavenworth County 300 Walnut Leavenworth, KS 66048 Phone: (913) 684-0422 Fax: (913) 680-1489

Lincoln County 216 E Lincoln Ave Lincoln, KS 67455 Phone: (785) 524-4757 Fax: (785) 524-5008

Linn County P.O. Box 350 Mound City, KS 66056 Phone: (913) 795-2668 Fax: (913) 795-2889

Logan County 710 W 2nd Oakley, KS 67748 Phone: (785) 671-4244 Fax: (785) 671-3341

Lyon County 402 Commercial Emporia, KS 66801 Phone: (620) 341-3245

Marion County 200 S. Third St. Suite 104 Marion, KS 66861 Phone: (620) 382-2185 Fax: (620) 382-8815

Marshall County 1201 Broadway Marysville, KS 66508 Phone: (785) 562-5361 Fax: (785) 562-5262

Morton County

Mcpherson County 117 N. Maple McPherson, KS 67460 Phone: (620) 241-3656 Fax: (620) 241-1168

Meade County PO Box 278 Meade, KS 67864 Phone: (620) 873-8700 Fax: (620) 873-8713

Miami County 201 S. Pearl Suite 102 Paola, KS 66071 Phone: (913) 294-3976 Fax: (913) 294-9544

Mitchell County PO Box 190, 111 S Hersey Beloit, KS 67420 Phone: (785) 738-3652 Fax: (785) 738-5524

Montgomery County PO Box 446, 217 E Myrtle Independence, KS 67301 Phone: (620) 330-1200 Fax: (620) 330-1202

Morris County 501 West Main Council Grove, KS 66846 Phone: (620) 767-5518 Fax: (620) 767-6861

PO Box 1116, 1025 Morton Elkhart, KS 67950 Phone: (620) 697-2157 Fax: (620) 697-2159

Nemaha County PO Box 186, 607 Nemaha Seneca, KS 66538 Phone: (785) 336-2170 Fax: (785) 336-3373

Neosho County PO Box 138, 100 S Main Erie. KS 66733 Phone: (620) 244-3811 Fax: (620) 244-3810

Ness County 202 W Sycamore Ness City, KS 67560 Phone: (785) 798-2401 Fax: (785) 798-3180

Norton County PO Box 70, 105 S Kansas Norton, KS 67654 Phone: (785) 877-5710 Fax: (785) 877-5794

Osage County PO Box 226, 717 Topeka Ave Lyndon, KS 66451-0226 Phone: (785) 828-4812 Fax: (785) 828-4749

Osborne County PO Box 160, 423 W Main Osborne, KS 67473 Phone: (785) 346-2431 Fax: (785) 346-5252

Ottawa County 307 N Concord Suite 130 Minneapolis, KS 67467 Phone: (785) 392-2279 Fax: (785) 392-2011

Pawnee County 715 Broadway Larned, KS 67550 Phone: (620) 285-3721 Fax: (620) 285-2559

Phillips County 301 State St Phillipsburg, KS 67661 Phone: (785) 543-6825 Fax: (785) 543-6827

Pottawatomie County PO Box 187, 207 N 1st Westmoreland, KS 66549 Phone: (785) 457-3314 Fax: (785) 457-3507

Pratt County PO Box 885, 300 S Ninnescah Pratt, KS 67124 Phone: (620) 672-4110 Fax: (620) 672-9541

Rawlins County 607 Main Atwood, KS 67730 Phone: (785) 626-3351 Fax: (785) 626-9019

Reno County 206 West 1st

Hutchinson, KS 67501 Phone: (620) 694-2732 Fax: (620) 694-2534

1815 M. St. Belleville, KS 66935-0429 Phone: (785) 527-7231 Fax: (785) 527-2668

Republic County

Rice County 101 W Commercial Lyons, KS 67554 Phone: (620) 257-2232 Fax: (620) 257-3039

Riley County 110 Courthouse Plaza Manhattan, KS 66502 Phone: (785) 537-6300 Fax: (785) 537-6394

Rooks County 115 N Walnut Stockton, KS 67669 Phone: (785) 425-6391 Fax: (785) 425-6015

Rush County PO Box 220, 715 Elm LaCrosse, KS 67548 Phone: (785) 222-2731 Fax: (785) 222-3559

Russell County PO Box 113, 4th & Main Russell, KS 67665 Phone: (785) 483-4641 Fax: (785) 483-5725

Saline County 300 W Ash, Ste. #215 Salina, KS 67401 Phone: (785) 309-5820 Fax: (785) 309-5826

Scott County 303 Court Scott City, KS 67871 Phone: (620) 872-2420 Fax: (620) 872-7145

209 N B'way, Courthouse

Phone: (620) 549-3509

Sedgwick County 510 N Main Wichita, KS 67203-3798 Phone: (316) 660-7100 Fax: (316) 660-7125

PO Box 190, 201 N Main

Phone: (620) 492-2140

Seward County Ste 100, 515 N Washington Liberal, KS 67901 Phone: (620) 626-3355 Fax: (620) 626-3211

Stevens County

Hugoton, KS 67951

Fax: (620) 544-4094

Phone: (620) 544-2541

200 E 6th

Shawnee County 911 SW 37th Topeka, KS 66611 Phone: (785) 266-0285 Fax: (785) 266-0299

Sumner County

501 N Washington

Wellington, KS 67152

Fax: (620) 326-2116

Phone: (620) 326-3395

Sheridan County P.O. Box 899, 925 9th St. Hoxie, KS 67740 Phone: (785) 675-3361 Fax: (785) 675-3487

Thomas County

Colby, KS 67701

Phone: (785) 460-4500

Fax: (785) 460-4503

300 N Court

Sherman County 813 Broadway, Rm 102 Goodland, KS 67735 Phone: (785) 890-4802 Fax: (785) 890-4809

Smith County 218 S Grant

Smith Center, KS 66967 Phone: (785) 282-5110 Fax: (785) 282-5114

Wabaunsee County

Phone: (785) 765-2421

Fax: (785) 765-3704

Alma, KS 66401

PO Box 278, 215 Kansas

Wallace County PO Box 70

Stafford County

St. John, KS 67576

Fax: (620) 549-3481

Sharon Springs, KS 67758 Phone: (785) 852-4282 Fax: (785) 852-4783

Washington County 214 C St

Stanton County

Johnson, KS 67855

Fax: (620) 492-2688

Washington, KS 66968 Phone: (785) 325-2974 Fax: (785) 325-2303

Wichita County PO Drawer 968, 206 S 4th St Leoti, KS 67861 Phone: (620) 375-2731 Fax: (620) 375-4350

Wilson County 615 Madison Fredonia, KS 66736 Phone: (620) 378-2186 Fax: (620) 378-3841

Woodson County Room 103, 105 W Rutledge Yates Center, KS 66783 Phone: (620) 625-8605

216 Main WaKeeney, KS 67672 Phone: (785) 743-5773 Fax: (785) 743-5594

Trego County

Wyandotte County 850 State Avenue Kansas City, KS 66101 Phone: (913) 573-8500 Fax: (913) 573-8580 Fax: (620) 625-8670

Form SID: Application for State Voter Identification Document

Summary

Photo ID is required to vote in Kansas. A registered voter who was not born in Kansas and does not possess a valid photographic identification document may request a free voter identification document from the Kansas Secretary of State's office.

Legal Authority

(25-2908(h)(1)(e): The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older: an employee badge or identification document issued by a municipal, county, state, or federal government office or agency.

Application for State Voter Identification Document

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1. Notice

Photographic identification is required to vote in Kansas. Any registered voter who was not born in Kansas and does not possess a valid photographic identification document may request a free voter identification document from the Kansas Secretary of State's office by signing this affidavit.

Last Name	First Name		
City of Birth	State of Birth	Date of Birth	(MM/DD/YY)
Residential Address	City	State	Zip Code
3. Documentation			
You must submit one of the following documer stub, bank statement, or government documer 4. Signature Note: False statement on any of the			hone bill, paycheck
I swear or affirm that I do not possess any of the purposes of voting in Kansas:		-	phic identification for
 Nondriver's ID card issued by Kansas or another state Concealed carry of handgun license issued by Em 	S. military ID	postsecondary educa	ed by an accredited Kansas ational institution card issued by a government
Required Signature of Voter	Name of Voter (please print)		te (MM/DD/YY)
I swear or affirm that I do not possess any of the identification card from the Kansas Division of		sed to obtain a f	ree nondriver's
Dept. of Justice) dept. of Justice) Birth Certificate from a U.S. territory (Puerto Rico, Guam, U.S. Virgin Islands, and U.S. Samoa) Certificate from a U.S. Samoa) dept. de	rtified Order of Adoption – original U.S. document	U.S. military Common of birth, name and br	560, N-561 or N-645) n Access Card with photo, date anch of service led Consular Report of Birth
Required Signature of Voter	Name of Voter (please print)		te (MM/DD/YY)
I swear or affirm under penalty of perjury that I not possess any of the qualifying photographic identification document issued by the Secretar voter identification document at no charge from	c identification documents required for ry of State's Office may be used only for	voting. I understor voting purpos	tand that the voter es. I hereby request a
Required Signature of Voter	Name of Voter (please print)		te (MM/DD/YY)

Form FPC: Notice to Government Agencies to Provide Photocopies at No Cost

Summary

Any registered voter applying for an advance ballot by mail must either write his/her driver's license number on the ballot application form or provide a copy of a valid photographic identification document along with the application. The law requires all state and local offices to allow any such voter the use of a photocopy machine to make one copy of an identification document free of charge.

Legal Authority

KSA 25-1122(e)(2): No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

- (1) ...
- (2) the person provides such person's full Kansas driver's license number, Kansas non-driver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of such person cannot be verified by the county election officer, the county election officer shall provide information to such person regarding the voter rights provisions of subsection (d) and shall provide such person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use a photocopying device to make one photocopy of an identification document at no cost.

KRIS W. KOBACH Secretary of State



Memorial Hall, 1st Floor 120 S.W. 10th Avenue Topeka, KS 66612-1594 (785) 296-4564

January, 2012

To: Government offices in Kansas From: Secretary of State Kris W. Kobach

The 2011 Secure and Fair Elections Act (SAFE) requires each voter to provide photographic identification when voting. This includes persons applying for advance ballots through the mail.

Further, the Act requires all "Kansas state offices and offices of any subdivision of the state" to allow any advance voter to make one photocopy of an identification document at no cost if the voter cannot afford the cost of a photocopy or does not have access to a photocopy machine.

This letter constitutes notice to all government offices in the state of Kansas that they must honor any such request pursuant to K.S.A. 25-1122(e)(2).

Please review the attached Form FPC. If a voter visits your office or any office under your supervision and requests a copy of any document listed, please provide the copy at no cost.

Thank you for your cooperation in this important matter.

Kris W. Kobach

 Business Services: (785) 296-4564
 Web site: www.sos.ks.gov
 Elections: (785) 296-4561

 Fax: (785) 296-4570
 E-mail: kssos@sos.ks.gov
 Fax: (785) 291-3051

Notice to Government Agencies to Provide Photocopies at No Cost



Notice

The Secure and Fair Elections (SAFE) Act was passed by the Kansas Legislature in 2011. Among other things, the Act requires voters to provide photographic identification each time they vote. For those who wish to vote advance ballots by mail, the Act authorizes them to obtain a free copy of their ID document to submit to the county election office along with their ballot applications.

All Kansas state offices and offices of any subdivision of the state are required to allow any person seeking to vote an advance ballot the use of a photocopying device to make one photocopy of an identification document at no cost. See K.S.A. 25-1122(e)(2).

It is the voter's responsibility to transmit the photocopy and ballot application to the election office.

Voter Identification Requirements

The following documents may be used as photographic identification for purposes of voting in Kansas:

- Driver's license issued by Kansas or another state
- Nondriver's ID card issued by Kansas or another state
- U.S. passport
- Concealed carry of handgun license issued by Kansas or another state
- Employee badge or ID document issued by a government office
- U.S. military ID
- Student ID card issued by an accredited Kansas postsecondary educational institution
- Public assistance ID card issued by a government office

Form BCA: Affidavit of Person Requesting Free Certified Copy of Birth Certificate

Summary

Beginning January 1, 2013, a person registering to vote for the first time in Kansas must provide satisfactory evidence of United States citizenship in order to be considered a registered voter. A person who does not possess any of the forms listed in the law as valid evidence of citizenship may obtain a free certified copy of his/her birth certificate to use in registering to vote. The law requires any such person to request the document from the Office of Vital Statistics in the Kansas Department of Health and Environment. The application form includes a sworn statement that the applicant plans to register to vote and does not possess any of the required documents.

Legal Authority

KSA 65-2418(a)(3): The secretary* shall not charge or accept any fee for a certified copy of a birth certificate if the certificate is requested by any person who is 17 years of age or older for purposes of meeting the voter registration requirements of K.S.A. 25-2309, and amendments thereto. Such person shall swear under oath: (1) That such person plans to register to vote in Kansas; and (2) that such person does not possess any of the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto. The affidavit shall specifically list the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(l), and amendments thereto.

^{* &}quot;Secretary" refers to the Secretary of the Kansas Department of Health and Environment in which the Office of Vital Statistics is located.

Affidavit of Person Requesting Free Certified Copy of Birth Certificate

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1. Notice

Starting January 1, 2013, in order to register to vote in Kansas, a person must provide proof of United States citizenship. If you do not possess any of the documents listed below, you may obtain a free certified copy of your Kansas birth certificate by signing this affidavit. If you require a birth certificate to obtain a fee-waived nondriver identification card, you may submit this form with a Form DE-VID1 to obtain a birth certificate for voting purposes.

2. Statement a	nd Signature	Note: False statement on th	is affirmation is a severity level 9, nonperson fe	lony.	
Please select o	ne of the follow	wing statements:			
that I am at I	•	of age, and that I do not p	ot registered to vote in Kansas, that I inte cossess any of the documents that constit	_	
☐ I swear or affirm that I am registered to vote, that I am at least 17 years of age, that I am requesting a certified copy of my birth certificate for voting purposes under Kansas law, and I have executed a Form DE-VID1 for the purpose of obtaining a fee waiver for a nondriver identification card.					
I hereby request and Environmen		of my birth certificate fro	om the Office of Vital Statistics, Kansas D	epartment of Health	
Required	Signature of Applicant		Name of Applicant (please print)	Date (MM/DD/YY)	

3. Valid Proof of U.S. Citizenship Documents

The following documents may be used as proof of United States citizenship for purposes of registering to vote in Kansas:

- Driver's license or nondriver identification card issued by the division
 of vehicles or the equivalent governmental agency of another state
 within the United States if the agency indicates on the applicant's
 driver's license or nondriver identification card that the person has
 provided satisfactory proof of United States citizenship
- Birth certificate that verifies United States citizenship
- United States passport or pertinent pages of the applicant's United States valid or expired passport identifying the applicant and the applicant's passport number
- United States naturalization documents or the number of the certificate of naturalization. (If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States Bureau of Citizenship and Immigration Services by the county election officer or the secretary of state, pursuant to 8 U.S.C. § 1373(c))
- Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952

- Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number
- · Consular report of birth abroad of a citizen of the United States
- Certificate of citizenship issued by the United States Bureau of Citizenship and Immigration Services
- Certification of report of birth issued by the United States Department of State
- American Indian card, with KIC classification, issued by the United States Department of Homeland Security
- Final adoption decree showing the applicant's name and United States birthplace
- United States military record of service showing applicant's place of birth in the United States
- Extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States

4. Contact Information

Contact the Office of Vital Statistics at 1000 SW Jackson, Suite 120, Topeka, KS, 66612-2221 or by phone at (785) 296-1400. Office hours are 8:00 – 5:00 Monday–Friday, with walk-in customer service hours from 9:00 – 4:00. You can also visit **www.kdheks.gov/vital**.

APPLICATION FOR CERTIFIED COPY OF <u>KANSAS BIRTH</u> CERTIFICATE BIRTH CERTIFICATES ARE ON FILE FROM JULY 1, 1911 TO PRESENT

(PLEASE PRINT)

REQUESTOR IN	<u>FORMATIO</u>	<u>)N:</u>				
YOUR NAME (PLEA	SE PRINT)					
YOUR MAILING AD	DRESS					
REASON FOR REQU	EST (PLEASE	CITY BE SPECIFIC)	STATE		ZIP CODE
REASON FOR REQU	`		(We ask this	s so that we can pro	vide appropriate service for	r your needs)
YOUR DAYTIME TE	ELEPHONE NU	MBER				
YOUR RELATIONSH	IIP TO PERSO	N NAMED ON	N CERTIFICATE	(REQUIRED)		
YOUR SIGNATURE ((REQUIRED)					IGIBILITY REQUIREMENTS)
CERTIFICATE I					•	
\$15.00 FOR ONE CERTI	IFIED COPY OR W	/ALLET SIZE AN	ND \$15.00 FOR EAC	H ADDITIONAL O	CERTIFIED COPY OR CA	ARD OF THE SAME RECORD
NUMBER O	F CERTIFICA	ATES REQUE	ESTED	FEE I	NFORMATION ON	REVERSE SIDE
CERTI	FIED COPIES		WALLET-SI (SEE REVE		<u>0</u> 0	OTAL FEE
			(SEE REVE	ACCE SIDE)		
NAME ON CERTIFIC	CATE	FIRST	MIDDLE	LAS	ST NAME AT BIRTH	
DATE OF BIRTH			PRESENT AGE	E OF THIS PER	SON	RACE
	NTH DAY	YEAR			CABLE	
PLACE OF BIRTH _						
FLACE OF BIRTH =	CITY	C	OUNTY	STATE	(MUST BE KANSAS)	HOSPITAL
MOTHER'S NAME _					BIRTHPLACE _	
	FIRST	MIDDLE	3	MAIDEN		
FATHER'S NAME _					BIRTHPLACE	
ADOPTION INFO		: IF PERSON			<u> </u>	
ADOPTED? YES [Is requ	est for record be	efore adoption? YES	NO
ORIGINAL NAME, IF	KNOWN —					

YOU MUST INCLUDE A COPY OF PHOTO ID WITH THIS FORM OR TWO ALTERNATIVE DOCUMENTS (SEE REVERSE SIDE FOR LIST)

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

MAILING ADDRESS: OFFICE OF VITAL STATISTICS

1000 SW JACKSON, SUITE 120

TOPEKA, KS 66612-2221

WALK-IN CUSTOMER SERVICE HOURS: 9:00 - 4:00, MONDAY - FRIDAY OFFICE HOURS: 8:00 - 5:00, MONDAY - FRIDAY, **PHONE** (785) 296-1400

www.kdheks.gov/vital

PLEASE ENCLOSE A BUSINESS SIZE SELF-ADDRESSED STAMPED ENVELOPE.

IDENTIFICATION

ID IS REQUIRED OF PERSON COMPLETING FORM

Due to identity theft and other fraudulent use of vital records, acceptable ID is limited. DO NOT send original ID with application

YOU MUST PROVIDE A PHOTOCOPY OF A GOVERNMENT (STATE OR FEDERAL) ISSUED PHOTO ID. THIS CAN BE ISSUED BY THE U.S. OR OTHER COUNTRY OF RESIDENCE.

ACCEPTABLE IDENTIFICATIONS INCLUDES: (Please include photocopy of front and back)

Photocopy of CURRENT Driver's License Photocopy of CURRENT Passport or Visa Photocopy of CURRENT State ID Card Photocopy of CURRENT Military ID

Temporary drivers' license must have one additional ID submitted with request.

<u>IF YOU DO NOT HAVE A GOVERNMENT ISSUED PHOTO ID, YOU MUST SEND PHOTOCOPIES OF ANY TWO OF THE FOLLOWING (MUST BE TWO DIFFERENT FORMS OF ID):</u>

Social Security Card (must be signed) Current Utility Bill With Current Address

Bank Statement With Current Address Current Pay Stub (must include your name, social security

Car Registration or Title With Current address number plus name and address of business)

FEE INFORMATION

K.A.R. 28-17-6 requires the following fee(s).

The correct fee must be submitted with the request. The fee for certified copies of birth certificates is \$15.00 for one certified copy or wallet size (see information on cards below) and \$15.00 for each additional certified copy or card of the same record ordered at the same time. This fee allows a 5-year search of the records, including the year indicated plus two years before and two years after, or you may indicate the consecutive 5-year period you want searched. You may specify more than one 5-year span, but each search cost \$15.00

IF THE CERTIFICATE IS NOT LOCATED, A \$15.00 FEE MUST BE RETAINED FOR THE RECORD SEARCH.

Make checks or money orders payable to **KANSAS VITAL STATISTICS**. For your protection, **do not send cash**.

Fees expire 12 months from the date of the request.

MULTIPLE REQUESTS FOR DIFFERENT RECORDS MAY BE HANDLED AND MAILED SEPARATELY.

WALLET SIZE CARDS

Wallet size cards may <u>NOT</u> be acceptable identification for passports, travel, social security, school enrollment or driver's license.

NOTE: The wallet size card does not contain parental information or an embossed seal (contains ink seal only).

ELIGIBILITY

By state law, vital records filed with this office are not open for public inspection and the requestor must meet eligibility requirements -- must be named on the record, an immediate fa mily member, or someone who can provide legal proof the record is necessary for the determination of personal or property rights. [K.S.A. 65-2422d]

If legal guardianship has been established through the courts, please provide copy of guardianship papers.

ADOPTION

When an adoption has occurred, the biological family may not have a legal right to the adoptee's record nor may the adoptee have a legal right to the biological family's records.

WARNING: COPYING, ALTERING, or FRAUDULENT ACTIVITY PROHIBITED

Except as authorized by the Uniform Vital Statistics Act, no person shall prepare or issue a ny certificate (vital record) which purports to be an original, certified copy or abstract or copy of a certificate [K.S.A. 65-2422d.(g)]. Vital records identity theft related to obtaining certificates or making, counterfeiting, altering, amending any certified copy of a vital record with the intent to sell or obtain for any purpose of deception a certified copy of a vital record is a severity level 8, nonperson felony. [K.S.A. 21-3830a (d) and K.S.A 21-3830a (e)].

Form CDU: Affidavit of Evidence of U.S. Citizenship

Summary

If the county election officer rejects a person's application for voter registration because the document submitted as evidence of citizenship was unsatisfactory due to inconsistencies in the name or sex, the person may complete a form, including a sworn statement that explains the inconsistency. The county election officer or Secretary of State then assesses the person's voter registration application along with the sworn statement.

Legal Authority

KSA 25-2309(q): (q) If evidence of citizenship is deemed to be unsatisfactory due to an inconsistency between the document submitted as evidence and the name or sex provided on the application for registration, such applicant may sign an affidavit:

- (1) Stating the inconsistency or inconsistencies related to the name or sex, and the reason therefor; and
- (2) swearing under oath that, despite the inconsistency, the applicant is the individual reflected in the document provided as evidence of citizenship. However, there shall be no inconsistency between the date of birth on the document provided as evidence of citizenship and the date of birth provided on the application for registration. If such an affidavit is submitted by the applicant, the county election officer or secretary of state shall assess the eligibility of the applicant without regard to any inconsistency stated in the affidavit.

Affidavit of Evidence of U.S. Citizenship

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1. Introduction

If an application for voter registration is denied due to an inconsistency in the name or sex indicated on the citizenship document provided, the applicant may sign the following affidavit and submit it to the county election officer or the Secretary of State. The election officer will assess the applicant's eligibility using this affidavit and the U.S. citizenship document submitted.

2. Statement			
Describe the inconsistency in name or sex the inconsistency:	indicated on the citizenship doc	cument submitted, includin	g the reason(s) for
3. Address			
Residential Address	City	State	Zip Code
4. Voter Signature Note: False statement	on this affirmation is a severity level 9	9, nonperson felony.	
I do solemnly swear under penalty of perjuhave submitted as proof of United States of	rry that, despite the inconsistenc citizenship, I am the individual re	y in name or sex indicated flected in the document.	d on the document I
Required Signature of Applicant		lame of Applicant (please print)	
Date (MM/DD/YY)		hone Number	

Form RCD: Request for Consideration of U.S. Citizenship Documents by State Election Board of Kansas

Summary

Beginning January 1, 2013, an individual wishing to register to vote for the first time in Kansas who does not possess any of the valid documents to submit as evidence of U.S. citizenship may request consideration by the state election board. The process is initiated by filing Form RCD with the office of the Secretary of State.

Legal Authority

KSA 25-2309(m): If an applicant is a United States citizen but does not have any of the documentation listed in this section as satisfactory evidence of United States citizenship, such applicant may submit any evidence that such applicant believes demonstrates the applicant's United States citizenship.

- (1) Any applicant seeking an assessment of evidence under this subsection may directly contact the elections division of the secretary of state by submitting a voter registration application or form as described by this section and any supporting evidence of United States citizenship. Upon receipt of this information, the secretary of state shall notify the state election board, as established under K.S.A. 25-2203, and amendments thereto, that such application is pending.
- (2) The state election board shall give the applicant an opportunity for a hearing and an opportunity to present any additional evidence to the state election board. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing.
- (3) The state election board shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of United States citizenship. A decision of the state election board shall be determined by a majority vote of the election board.
- (4) If an applicant submits an application and any supporting evidence prior to the close of registration for an election cycle, a determination by the state election board shall be issued at least five days before such election date.
 - (5) If the state election board finds that the evidence presented by such applicant con-

stitutes satisfactory evidence of United States citizenship, such applicant will have met the requirements under this section to provide satisfactory evidence of United States citizenship.

(6) If the state election board finds that the evidence presented by an applicant does not constitute satisfactory evidence of United States citizenship, such applicant shall have the right to appeal such determination by the state election board by instituting an action under 8 U.S.C. § 1503. Any negative assessment of an applicant's eligibility by the state election board shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, demonstrating that such applicant is a national of the United States.

Office of the Kansas Secretary of State

Request for Consideration of U.S. Citizenship Documents by State Election Board of Kansas



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1. Introduction

Kansas law requires any person seeking to register to vote for the first time to submit proof of United States citizenship. Any applicant who is a U.S. citizen but does not possess any documents proving his/her citizenship may apply to the Kansas Secretary of State for consideration. Upon receipt of a voter registration application and documentation of citizenship, the Secretary of State will convene a meeting of the State Election Board for the purpose of assessing the applicant's documentation.

The applicant may request a hearing and an opportunity to present evidence of citizenship. The Secretary of State will notify the applicant at least five days in advance of the hearing.

In making such an application, the applicant is stating that he/she does not possess any of the documents listed below.

2. Personal Information	Please print.				
Last Name	First Name		Middle Name		
Residential Address		City		State	Zip Code
Email Address		Phone N	umber		· · · · · · · · · · · · · · · · · · ·
3. Signature of Applicant I request consideration by the States citizenship. I hereby decitizenship according to Kans	e State Election Board eclare that I do not po		urpose of assessing	g documentatio	•
Required Signature of Applica	ant			 Date (MM/D	D/YY)
4. United States Citizenshi	p Requirements				

The following documents may be used as proof of U.S. citizenship for purposes of registering to vote in Kansas:

- Driver's license or nondriver's identification card issued by the division of vehicles or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of United States citizenship
- Birth certificate that verifies United States citizenship
- United States passport or pertinent pages of the applicant's United States valid or expired passport identifying the applicant and the applicant's passport number
- United States naturalization documents or the number of the certificate of naturalization. (If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States Bureau of Citizenship and Immigration Services by the county election officer or the secretary of state, pursuant to 8 U.S.C. § 1373(c))
- Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952

- Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number
- Consular report of birth abroad of a citizen of the United States
- Certificate of citizenship issued by the United States Bureau of Citizenship and Immigration Services
- Certification of report of birth issued by the United States Department of State
- American Indian card, with KIC classification, issued by the United States Department of Homeland Security
- Final adoption decree showing the applicant's name and United States birthplace
- United States military record of service showing applicant's place of birth in the United States
- Extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States

Request for Consideration of U.S. Citizenship Documents by State Election Board of Kansas



Procedure for Review of Applicant's U.S. Citizenship Status

If a person applies for voter registration in Kansas but does not have any of the documents to prove the applicant's U.S. citizenship, the person may apply to the Kansas Secretary of State's office for review by the State Election Board. The Board is composed of the Lieutenant Governor, Attorney General and Secretary of State.

Once an application for review is received in the Secretary of State's office, the procedure is as follows:

- 1. The applicant must provide a completed application for voter registration and may also provide supporting evidence of his/her U.S. citizenship.
- 2. The Secretary of State will notify the other members of the State Election Board that the application is pending.
- 3. The applicant will be given an opportunity to appear at a hearing, if desired, to present any additional evidence to the Board. If the applicant requests a hearing, the Board will give the applicant at least five days notice of the date, time and location of the hearing. The applicant may be represented at the hearing by private legal counsel.
- 4. The Board will assess the evidence of citizenship provided by the applicant and determine by majority vote whether it is satisfactory to grant voter registration status. If the evidence is considered satisfactory, the applicant is considered a registered voter.
- 5. If the application is made prior to the close of registration for an upcoming election, the Board's decision will be issued at least five days before the election. The Secretary of State will notify the county election officer of the county where the applicant resides.
- 6. If the Board determines that the evidence of citizenship is unsatisfactory, the applicant has the right to appeal the decision by instituting an action under 8 U.S.C. § 1503. If the applicant obtains a declaratory judgment in the applicant's favor, the State Election Board's decision is considered to be reversed.

Form Submission

Submit completed form to Kansas Secretary of State, Elections Division, 120 SW 10th Ave., Topeka, KS, 66612. You can contact the Elections Division at 1-800-262-8683 (VOTE) or on the Internet at **www.sos.ks.gov**. The fax number is 1-785-291-3051. You can also email the office at **election@sos.ks.gov**.

Form RTA: Request for Transmission of Birth Certificate Application Form

Summary

Beginning January 1, 2013, individuals wishing to register to vote who do not possess any of the documents to use as evidence of U.S. citizenship may request a free certified copy of a birth certificate from the Office of Vital Statistics in the Kansas Department of Health and Environment. Form ABC is designed for this purpose.

In case some individuals need assistance in transmitting their Form ABCs to the Office of Vital Statistics, the county commissioners in each county are required to designate a county office to provide free transmission of the applications. Form RTA is designed for those designated county offices to use in allowing individuals to request this service.

Legal Authority

K.S.A. 25-2358: The boards of county commissioners shall designate a county office or department to provide assistance at no charge to any person applying for a birth certificate from the state registrar of vital statistics for the purpose of registering to vote. Such county departments shall transmit the necessary forms to the state registrar's office at no cost to the person applying for the birth certificate.

Office of the Kansas Secretary of State

Request for Transmission of Birth Certificate Application Form



Notice

The board of county commissioners in each county in Kansas designates a county office to provide assistance at no charge to any person applying for a free certified copy of the person's birth certificate from the Kansas Office of Vital Statistics for the purpose of registering to vote. Request forms are prescribed by the Office of Vital Statistics. Upon receiving a properly completed form, the designated county office shall transmit the form at no charge to the Office of Vital Statistics by mail, fax, or email.

Contact Information for Kansas Office of Vital Statistics

Kansas Department of Health and Environment Office of Vital Statistics Suite 120, 1000 S.W. Jackson Curtis State Office Building Topeka, KS 66612

Phone: (785) 296-1400 Fax: (785) 296-8075

Email: Vital.Records@kdheks.gov



Spanish Forms

The following are Spanish translations of the forms created or revised pursuant to SAFE.

Solicitud de papeleta de votación anticipada por correo DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV





1. Affirmación				
de manera anticipad				ansas, que desee votar
Estado de	, Condado de		, ss: (donde se com	pleta esta solicitud)
2. Requisitos de id	lentificación para votantes			
	sentarse para recibir una boleta un núr nductor de Kansas para poder recibir la	•		cir de Kansas o una tarjeta de
Número de licencia del conductor	actual de Kansas o número de tarjeta de identificación de	no conductor		
Si no tengo ninguna de aplicación para recibir	e estas, yo debo proporcionar una copia una papeleta.	a de una de las siguier	ntes formas de identifi	cación fotográfica con esta
Tarjeta de identifPasaporte estadLicencia de arma	a oculta estatal expedida por Kansas u otro es cada o documento de identificación expedid:	stado • Carne terciar stado • Tarjeta	ia acreditada en Kansas	a por una institución de educación
3. Información per	Sonal Por favor escribe con letra de r	molde.		
Apellido	Nombre	Segundo nombre		Fecha de nacimiento (mm/dd/aa)
Dirección de domicilio		Ciudad	Estado	Cógido postal
Partido político (conteste	solamente cuando lo requiera la boleta de e	eleccion primaria): 🔲 De	emócrata 🗌 Republica	no
4. Dirección para r	mandar la papeleta (si es distinta	a su domicilio)		
Dirección postal	-	Ciudad	Estado	Cógido postal
dirección de residencia te	ada sólo a la dirección de residencia o de el mporal del votante o a alguna Instalación de fermedad o discapacidad o bien que carezc	e cuidados medicos dond	e el votante resida. Esta	
5. Firma del votant	te Nota: Declaración falsa sobre esta a	firmación es un nivel de	gravedad 9, delito de	no persona.
residente en la direc	te que soy un elector calificado del ción declarada mas arriba en esta no he votado con anterioridad ni vot (fecha).	misma forma. Estoy	autorizado para par	rticipar en la votación
Obligatorio Firma (del votante	Fecha (mm/dd/aa)		Número de teléfono
sói	_O PARA USO INTERNO Date App. Rec'd	Ballot Mailed	Transmitted by	

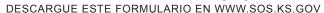
Solicitud de papeleta de votación anticipada en persona descargue este formulario en www.sos.ks.gov



1. Affirmación	1					
de manera anti	cipada.	ente al condado de				
Estado de		, Condado de		, ss: (aona	e se completa es	ta solicitud)
2. Requisitos	de identificaci	ón para votantes				
Entiendo que d	ebo presentar ι	na de las siguientes form	nas de identifica	ación con foto:		
Tarjeta dePasaporteLicencia eLa chapa	e identificación estata e estadounidense de arma oculta estat	la por Kansas u otro estado al expedida por Kansas u otro es al expedida por Kansas u otro es nento de identificación expedida	tado •	terciaria acreditada	nte expedida por una i en Kansas ación de asistencia pú	institución de educación blica expedida por una
3. Informació	n personal Po	or favor escribe con letra de n	nolde.			
Apellido		Nombre	Segundo	nombre	Fecha de	e nacimiento (mm/dd/aa)
Dirección de domicilio		· · · · · · · · · · · · · · · · · · ·	Ciudad		Estadi	Cógido postal
Partido político (cor	nteste solamente cu	ando lo requiera la boleta de el	leccion primaria):	☐ Demócrata ☐	Republicano	
4. Firma del v	otante Nota: D	eclaración falsa sobre esta af	irmación es un ni	vel de gravedad 9.	. delito de no persor	าล.
Afirmo solemne residente en la	emente que soy dirección decla	un elector calificado del c rada mas arriba en esta r do con anterioridad ni vot	distrito electora nisma forma. E	l declarado mas stoy autorizado	s arriba en esta m para participar e	nisma forma, en la votación
Obligatorio						
Obligatorio	Firma del votante		Fecha (mm/dd/aa)		Número	de teléfono

SÓLO PARA USO INTERNO Date App. Rec'd Transmitted by

Solicitud combinado de papeleta de votación anticipada DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV





1. Affirmació	n			
Afirmo ser un E de manera ant	Elector perteneciente al condado de	y del estac	lo de Kansas, d	que desee votar
	, Condado de	, ss: (donde	se completa e	sta solicitud)
: .				
2. Tipo de vo	oto y requerimientos Por favor seleccione uno			
	Entiendo que debo proporicionar un número válido y actual de mi licencia de conducir de Kansas o una tarjeta de identificación de no conductor de Kansas para poder recibir la papeleta de votación. Si no tengo ninguna de estas, yo debo proporcionar una copia de una de las formas de identificación que aparece a la derecha con esta aplicación para recibir una papeleta. Número de licencia del conductor actual de Kansas o número de tarjeta de identificación de no conductor.	 Tarjeta de identifica otro estado Pasaporte estadou Licencia de arma o otro estado La chapa emplead expedida por una a Identificación milita Carnet del estudial educación terciaria 	ar expedida por la ación estatal expunidense oculta estatal expula o documento dagencia guberna ar estadounidens nte expedida por la acreditada en la acreditad	Kansas u otro estado pedida por Kansas u otro estado pedida por Kansas u otro estado pedida por Kansas u otro estado pedida por Kansas u otro estado por estado por estado por kansas u otro estado por
☐ En persona	Entiendo que debo presentar una de las formas de identificación con foto que aparecen a la derecha.	Tarjeta de identifica por una agencia gu		cia pública expedida
3. Informació	ón personal Por favor escribe con letra de molde).		
Apellido	Nombre	Segundo nombre	Fecha (de nacimiento (mm/dd/aa)
Dirección de domicilio	Ciud	ad	Estado	Cógido postal
Partido político (co	onteste solamente cuando lo requiera la boleta de eleccio	on primaria): Demócrata F	Republicano	
	·	· · ·	·	
4. Dirección	para mandar la papeleta (si es distinta a su	u domicilio)		
				·
Dirección postal	Ciud	ad	Estado	Cógido postal
dirección de reside	erá enviada sólo a la dirección de residencia o de envío ta encia temporal del votante o a alguna Instalación de cuid una enfermedad o discapacidad o bien que carezca de l	ados medicos donde el votante res	sida. Estas restrico	
5. Firma del v	votante Nota: Declaración falsa sobre esta afirma	ción es un nivel de gravedad 9. o	delito de no perso	ona.
Afirmo solemne residente en la	emente que soy un elector calificado del distria dirección declarada mas arriba en esta mismo que no he votado con anterioridad ni votaré (fecha).	ito electoral declarado mas na forma. Estoy autorizado ¡	arriba en esta para participar	misma forma, en la votación
Obligatorio	Firma del votante Fech	a (mm/dd/aa)	Número	o de teléfono
	SÓLO PARA USO INTERNO Date App. Rec'd.	Ballot Mailed Trans	mitted by	_

Solicitud de avance permanente para el estado de votación DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV



1. Affirmación			
Afirmo ser un Elector pert estatuto anticipado perma		y del est	ado de Kansas, solicitando el
Estado de	, condado de	, ss: (donde se d	completa esta solicitud)
2. Solicitud de anticipo	permanente para el estado	de voto	
	anticipado permanente de vot agnosticados como una enfern es:		•
3. Información persona	Por favor escribe con letra de	molde.	
Apellido	Nombre	Segu	undo nombre
Dirección de domicilio			
Ciudad		 Estado	Cógido postal
Partido político: O Demo	ocrata () Republicano	Fecha de na	acimiento:
4. Dirección para mand	lar la papeleta (si es distinta	a su domicilio)	
Dirección postal			
Ciudad		Estado	Cógido postal
registrada de votantes de de cuidados medicos don	ada sólo a la dirección de resi l condado, a la dirección de re de el votante resida. Estas res ad o bien que carezca de habi	esidencia temporal del v stricciones no aplican a	otante o a alguna instalación un votante que tenga una
5. Firma del votante	lota: Delcaración falsa sobre esta	afirmación es un nivel de ç	gravedad 9, delito de no persona.
-	o pena de perjurio que soy un e. Asimismo, afirmo que no vo		
Obligatorio Firma del v	votante	Fecha (mm/dd/aa)	Número de teléfono
	FOR OFFICE USE ONLY Da	ate App. Rec'd.	

División de Vehículos, Departamento de Ingresos de Kansas

Certificación solicitando la exención de la cuota de la tarjeta de identificación de no conductor

Descargue esta forma en www.ksrevenue.org

Sección 1 Aviso

La identificación con foto es necesaria para votar en Kansas. Cualquier votante registrado que no posea un documento de identificación con foto válido, puede recibir una exención de la cuota al solicitar la tarjeta de identificación de no conductor de Kansas ("tarjeta de identificación") de la División de Vehículos de Kansas completando este formulario y aportar pruebas que está registrado para votar. La aceptación de este formulario y la exención de la cuota de la tarjeta de identificación no eximirán al solicitante de satisfacer otros requisitos estándar de la División para la emisión de una tarjeta de identificación. (es decir presencia legal, identidad, residencia, etc.).

Sección 2 Requisitos de identificación de votantes

Según lo acordado con K.S.A. 2011 Supp. 25-2908, los siguientes documentos pueden utilizarse como una identificación con foto con el propósito de votar en Kansas.

- Licencia de manejar expedida por Kansas u otro estado
- Tarjeta de identificación estatal expedida por Kansas u otro estado
- Pasaporte estadounidense
- Licencia de arma oculta estatal expedida por Kansas u otro estado
- La chapa empleada o documento de identificación expedida por una agencia gubernativa
- Identificación militar estadounidense
- Carnet del estudiante expedida por una institución de educación terciaria acreditada en Kansas
- Tarjeta de identificación de asistencia pública expedida por una agencia gubernativa

Sección 3 La certificación

Yo certifico bajo pena de perjurio que las siguientes afirmaciones son verdaderas y correctas:

- a. Yo deseo una tarjeta de identificación de Kansas para votar en una elección en Kansas;
- b. Estoy registrado para votar en Kansas;
- c. Que no poseo ninguna de las formas, según lo establecido en la sección 2, requeridas como debida identificación con foto para fines de votar en Kansas;
- d. Le he provisto a la División con evidencia verdadera y precisa de mi status actual de votante registrado en Kansas,
- e. Que tengo 17 años o más en el momento de hacer esta certificación; y
- f. Que no tengo actualmente una licencia de conducir vigente emitida por Kansas u otro Estado.

Obligatorio		
Firma del solicitante/votante	Nombre del solicitante/votante	Fecha (mm/dd/aa)

Requisitos estándar de tarjeta de identificación en Kansas, según K.S.A. 2010 Supp. 8-1324

Con el propósito de obtener una tarjeta de identificación de Kansas, el solicitante deberá presentar, con la aplicación, documentación aceptable con: 1) el nombre legal completo; 2) la fecha de nacimiento; 3) una prueba de presencia legal en los Estados Unidos; y 4) una prueba de la dirección de su residencia en Kansas. Una lista completa de documentos aceptables para la obtención de una tarjeta de identificación de Kansas está disponible en los lugares de emisión de licencias de conducir, bien al nivel del estado o condado. La lista, del formulario DE56a, puede tener acceso a ella en: http://ksrevenue.org/dmvproof.html. Una lista completa de los lugares de emisión de licencias de conducir está disponible en: http://ksrevenue.org/dmvproof.html.

Declaración de objeciones religiosas para la identificación con foto



DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV

1. Introducción

La ley de Kansas requiere que cada votante proporcione una identificación con foto antes de recibir una papeleta. Se proporciona una exención para las personas cuyas creencias religiosas prohíben una identificación con foto. Cualquier persona que solicite una exención debe completar este formulario y enviarlo a la Secretaría de Estado, o a la Oficina del Condado de elección en el condado donde está registrado el votante.

2. Declaración de creencias religiosas	
La naturaleza de mis creencias religiosas se describe a c	ontinuación:
3. Firma del votante Nota: Declaración falsa sobre esta afin	mación es un nivel de gravedad 9, delito de no persona.
Nota. Declaración falsa sobre esta ann	macion es un niver de gravedad 9, dento de no persona.
	orohíben participar en la identificación con foto y que, debido a orcionar identificación con foto en la elección que se celebrará:
Fecha (mm/dd/aa)	
Obligatorio Firma del votante	Nombre de votante (por favor escriba con letra de molde) Fecha (mm/dd/aa)
Fillila del votalite	withing de votante (por lavor escriba con letra de moide) — Fecha (minido/da)

4. Información de contacto

Póngase en contacto con el Secretario de Estado de Kansas en el 120 SW 10 ave., Topeka, KS, 66612 por teléfono llamando al 1-800-262-8683 o por fax al 1-785-291-3051. También puede enviar un correo electrónico a la División de elecciones a **election@sos.ks.gov** o visite **www.sos.ks.gov**.

Ver la parte posterior de esta forma para la información de contacto de la oficina electoral del condado.

Allen County 1 N Washington Iola, KS 66749 Phone: (620) 365-1407 Fax: (620) 365-1441

Anderson County 100 E 4th Garnett, KS 66032 Phone: (785) 448-6841 Fax: (785) 448-5621

Atchison County 423 N 5th Atchison, KS 66002-1861 Phone: (913) 367-1653 Fax: (913) 367-0227

Barber County 120 E Washington Medicine Lodge, KS 67104 Phone: (620) 886-3961 Fax: (620) 886-5425

Barton County Room 202, 1400 Main St. Great Bend, KS 67530 Phone: (620) 793-1835 Fax: (620) 793-1990

Bourbon County 210 S National Ft Scott, KS 66701 Phone: (620) 223-3800 Fax: (620) 223-5832

Brown County 601 Oregon St Hiawatha, KS 66434 Phone: (785) 742-2581 Fax: (785) 742-7705

Butler County 205 W Central Courthouse El Dorado, KS 67042 Phone: (316) 322-4233 Fax: (316) 321-1011

Chase County PO Box 529 Cottonwood Falls, KS 66845-0547 Phone: (620) 273-6423 Fax: (620) 273-6617

Chautauqua County 215 N Chautauqua Sedan, KS 67361 Phone: (620) 725-5800 Fax: (620) 725-5801

Cherokee County PO Box 14, 100 W Maple Columbus, KS 66725 Phone: (620) 429-2042 Fax: (620) 429-1042

Cheyenne County PO Box 985, 212 E Washington St Francis, KS 67756 Phone: (785) 332-8800 Fax: (785) 332-8825

Clark County PO Box 886, 913 Highland Ashland, KS 67831 Phone: (620) 635-2813 Fax: (620) 635-2051

Clay County PO Box 98, 712 5th St. Clay Center, KS 67432 Phone: (785) 632-2552 Fax: (785) 632-5856

Cloud County 811 Washington Concordia, KS 66901 Phone: (785) 243-8110 Fax: (785) 243-8123

Coffey County Room 202, 110 S 6th Burlington, KS 66839 Phone: (620) 364-2191 Fax: (620) 364-8975

Comanche County Box 776, 201 S New York Coldwater, KS 67029 Phone: (620) 582-2361 Fax: (620) 582-2426

Cowley County 311 E 9th Winfield, KS 67156 Phone: (620) 221-5495 Fax: (620) 221-5498

Crawford County PO Box 249, 111 E Forest Girard, KS 66743-0249 Phone: (620) 724-6115 Fax: (620) 724-6007

Decatur County PO Box 28 Oberlin, KS 67749 Phone: (785) 475-8102 Fax: (785) 475-8150

Dickinson County PO Box 248, 109 E 1st, Ste. 207 Abilene, KS 67410 Phone: (785) 263-3774 Fax: (785) 263-2045

Doniphan County PO Box 278 Trov. KS 66087 Phone: (785) 985-3513 Fax: (785) 985-3723

Douglas County 1100 Massachusetts St Lawrence, KS 66044 Phone: (785) 832-5281 Fax: (785) 832-5192

Edwards County 312 Massachusetts Kinsley, KS 67547 Phone: (620) 659-3000 Fax: (620) 659-2583

Elk County PO Box 606, 127 N Pine Howard, KS 67349 Phone: (620) 374-2490 Fax: (620) 374-2771

Ellis County PO Box 720 Havs. KS 67601 Phone: (785) 628-9410 Fax: (785) 628-9413

Ellsworth County 210 N Kansas Ellsworth, KS 67439 Phone: (785) 472-4161 Fax: (785) 472-3818

Finney County Finney Co. Admin. Center 311 N. 9th St., P.O. Box M Garden City, KS 67846 Phone: (620) 272-3522 Fax: (620) 272-3575

Ford County 100 Gunsmoke Dodge City, KS 67801 Phone: (620) 227-4550 Fax: (620) 227-4699

Franklin County 315 S Main Ottawa, KS 66067 Phone: (785) 229-3410 Fax: (785) 229-3419

311 N Main

PO Box 321

Oskaloosa, KS 66066

Fax: (785) 863-3135

Phone: (785) 863-2272

Geary County 200 É 8th ST Junction City, KS 66441 Phone: (785) 238-3912 Fax: (785) 238-5419

Gove County PO Box 128 Gove, KS 67736 Phone: (785) 938-2300 Fax: (785) 938-4486

Harper County

201 N Jennings

Anthony, KS 67003

Fax: (620) 842-3455

Phone: (620) 842-5555

Graham County 410 N Pomeroy Hill City, KS 67642 Phone: (785) 421-3453 Fax: (785) 421-6374

PO Box 687, 8th & Main

Phone: (316) 284-6842

Fax: (316) 284-6856

Harvey County

Newton, KS 67114

Grant County 108 S Glenn Ulysses, KS 67880 Phone: (620) 356-1335 Fax: (620) 356-3081

PO Box 518, 300 Inman St

Gray County PO Box 487 Cimarron, KS 67835-0487 Phone: (620) 855-3618 Fax: (620) 855-3107

Greeley County P.O. Box 277 Tribune, KS 67879 Phone: (620) 376-4256

Eureka, KS 67045 Phone: (620) 583-8121 Fax: (620) 376-2294 Fax: (620) 583-8124 **Jackson County** Jefferson County

Greenwood County **Hamilton County** PO Box 1167, 219 N Main Syracuse, KS 67878 Phone: (620) 384-5629 Fax: (620) 384-5853

Jewell County 307 N Commercial

Mankato, KS 66956

Fax: (785) 378-3037

Phone: (785) 378-4020

Johnson County 2101 E Kansas City Rd Olathe, KS 66061 Phone: (913) 782-3441 Fax: (913) 791-1753

Kearny County PO Box 86 304 N Main Lakin, KS 67860 Phone: (620) 355-6422

Fax: (620) 355-7382

Kingman County 130 N Spruce Kingman, KS 67068 Phone: (620) 532-2521 Fax: (620) 532-5082

Haskell County

Sublette, KS 67877

Phone: (620) 675-2263

Fax: (620) 675-2681

Hodgeman County PO Box 247, 500 Main Jetmore, KS 67854 Phone: (620) 357-6421 Fax: (620) 357-6313

211 Fast Florida Avenue

Greensburg, KS 67054

Phone: (620) 723-3366

Fax: (620) 723-3234

Fax: (620) 341-3415

Kiowa County

400 New York Holton, KS 66436 Phone: (785) 364-2891 Fax: (785) 364-4204

Labette County PO Box 387, 501 Merchant Lane County PO Box 788, 144 S Lane Oswego, KS 67356 Dighton, KS 67839 Phone: (620) 795-2138 Phone: (620) 397-5356 Fax: (620) 795-2928 Fax: (620) 397-5419

Leavenworth County 300 Walnut Leavenworth, KS 66048 Phone: (913) 684-0422 Fax: (913) 680-1489

Lincoln County 216 E Lincoln Ave Lincoln, KS 67455 Phone: (785) 524-4757 Fax: (785) 524-5008

Linn County P.O. Box 350 Mound City, KS 66056 Phone: (913) 795-2668 Fax: (913) 795-2889

Logan County 710 W 2nd Oakley, KS 67748 Phone: (785) 671-4244 Fax: (785) 671-3341

Lyon County 402 Commercial Emporia, KS 66801 Phone: (620) 341-3245

Marion County 200 S. Third St. Suite 104 Marion, KS 66861 Phone: (620) 382-2185 Fax: (620) 382-8815

Marshall County 1201 Broadway Marysville, KS 66508 Phone: (785) 562-5361 Fax: (785) 562-5262

Morton County

Mcpherson County 117 N. Maple McPherson, KS 67460 Phone: (620) 241-3656 Fax: (620) 241-1168

Meade County PO Box 278 Meade, KS 67864 Phone: (620) 873-8700 Fax: (620) 873-8713

Miami County 201 S. Pearl Suite 102 Paola, KS 66071 Phone: (913) 294-3976 Fax: (913) 294-9544

Mitchell County PO Box 190, 111 S Hersey Beloit, KS 67420 Phone: (785) 738-3652 Fax: (785) 738-5524

Montgomery County PO Box 446, 217 E Myrtle Independence, KS 67301 Phone: (620) 330-1200 Fax: (620) 330-1202

Morris County 501 West Main Council Grove, KS 66846 Phone: (620) 767-5518 Fax: (620) 767-6861

PO Box 1116, 1025 Morton Elkhart, KS 67950 Phone: (620) 697-2157 Fax: (620) 697-2159

Nemaha County PO Box 186, 607 Nemaha Seneca, KS 66538 Phone: (785) 336-2170 Fax: (785) 336-3373

Neosho County PO Box 138, 100 S Main Erie. KS 66733 Phone: (620) 244-3811 Fax: (620) 244-3810

Ness County 202 W Sycamore Ness City, KS 67560 Phone: (785) 798-2401 Fax: (785) 798-3180

Norton County PO Box 70, 105 S Kansas Norton, KS 67654 Phone: (785) 877-5710 Fax: (785) 877-5794

Osage County PO Box 226, 717 Topeka Ave Lyndon, KS 66451-0226 Phone: (785) 828-4812 Fax: (785) 828-4749

Osborne County PO Box 160, 423 W Main Osborne, KS 67473 Phone: (785) 346-2431 Fax: (785) 346-5252

Ottawa County 307 N Concord Suite 130 Minneapolis, KS 67467 Phone: (785) 392-2279 Fax: (785) 392-2011

Pawnee County 715 Broadway Larned, KS 67550 Phone: (620) 285-3721 Fax: (620) 285-2559

Phillips County 301 State St Phillipsburg, KS 67661 Phone: (785) 543-6825 Fax: (785) 543-6827

Pottawatomie County PO Box 187, 207 N 1st Westmoreland, KS 66549 Phone: (785) 457-3314 Fax: (785) 457-3507

Pratt County PO Box 885, 300 S Ninnescah Pratt, KS 67124 Phone: (620) 672-4110 Fax: (620) 672-9541

Rawlins County 607 Main Atwood, KS 67730 Phone: (785) 626-3351 Fax: (785) 626-9019

Reno County 206 West 1st

Hutchinson, KS 67501 Phone: (620) 694-2732 Fax: (620) 694-2534

Republic County 1815 M. St. Belleville, KS 66935-0429 Phone: (785) 527-7231 Fax: (785) 527-2668

Rice County 101 W Commercial Lyons, KS 67554 Phone: (620) 257-2232 Fax: (620) 257-3039

Riley County 110 Courthouse Plaza Manhattan, KS 66502 Phone: (785) 537-6300 Fax: (785) 537-6394

Rooks County 115 N Walnut Stockton, KS 67669 Phone: (785) 425-6391 Fax: (785) 425-6015

Rush County PO Box 220, 715 Elm LaCrosse, KS 67548 Phone: (785) 222-2731 Fax: (785) 222-3559

Russell County PO Box 113, 4th & Main Russell, KS 67665 Phone: (785) 483-4641 Fax: (785) 483-5725

Saline County 300 W Ash, Ste. #215 Salina, KS 67401 Phone: (785) 309-5820 Fax: (785) 309-5826

Scott County 303 Court Scott City, KS 67871 Phone: (620) 872-2420 Fax: (620) 872-7145

209 N B'way, Courthouse

Phone: (620) 549-3509

Sedgwick County 510 N Main Wichita, KS 67203-3798 Phone: (316) 660-7100 Fax: (316) 660-7125

PO Box 190, 201 N Main

Phone: (620) 492-2140

Seward County Ste 100, 515 N Washington Liberal, KS 67901 Phone: (620) 626-3355 Fax: (620) 626-3211

Stevens County

Hugoton, KS 67951

Fax: (620) 544-4094

Phone: (620) 544-2541

200 E 6th

Shawnee County 911 SW 37th Topeka, KS 66611 Phone: (785) 266-0285 Fax: (785) 266-0299

Sumner County

501 N Washington

Wellington, KS 67152

Fax: (620) 326-2116

Phone: (620) 326-3395

Sheridan County P.O. Box 899, 925 9th St. Hoxie, KS 67740 Phone: (785) 675-3361 Fax: (785) 675-3487

Thomas County

Colby, KS 67701

Phone: (785) 460-4500

Fax: (785) 460-4503

Fax: (620) 625-8670

300 N Court

Sherman County 813 Broadway, Rm 102 Goodland, KS 67735 Phone: (785) 890-4802 Fax: (785) 890-4809

Smith County 218 S Grant

Smith Center, KS 66967 Phone: (785) 282-5110 Fax: (785) 282-5114

Wabaunsee County

Phone: (785) 765-2421

Fax: (785) 765-3704

Alma, KS 66401

PO Box 278, 215 Kansas

Wallace County PO Box 70

Stafford County

St. John, KS 67576

Fax: (620) 549-3481

Sharon Springs, KS 67758 Phone: (785) 852-4282 Fax: (785) 852-4783

Washington County 214 C St

Stanton County

Johnson, KS 67855

Fax: (620) 492-2688

Washington, KS 66968 Phone: (785) 325-2974 Fax: (785) 325-2303

Wichita County PO Drawer 968, 206 S 4th St Leoti, KS 67861 Phone: (620) 375-2731 Fax: (620) 375-4350

Wilson County 615 Madison Fredonia, KS 66736 Phone: (620) 378-2186 Fax: (620) 378-3841

Woodson County Room 103, 105 W Rutledge Yates Center, KS 66783 Phone: (620) 625-8605

216 Main WaKeeney, KS 67672 Phone: (785) 743-5773 Fax: (785) 743-5594

Fax: (913) 573-8580

Trego County

Wyandotte County 850 State Avenue Kansas City, KS 66101 Phone: (913) 573-8500

Aplicación para el Documento de Identificación de Votante del Estado

DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV



1. Noticia

Una identificación fotográfica es requerida para votar en Kansas. Cualquier votante registrado que no nació en Kansas y no posea un documento de identificación fotográfica válido puede pedir un documento de identificación para votar gratuito a la oficina del Secretarío del Estado de Kansas al firmar la siguiente declaración jurada.

Estado n: recibo de dique su no persona. con foto quarnet del estude e educación te arjeta de identi	de nacimiento (mm/dd/aa) Cógido postal de servicios públicos, recibo nombre y la dirección. que pueden ser utilizados diante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública na agencia gubernativa
Estado n: recibo de dique su no persona. con foto quarnet del estude e educación te arjeta de identi	Cógido postal de servicios públicos, reciberamentos y la dirección. que pueden ser utilizados diante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública
n: recibo de dique su no persona. con foto quarnet del estude educación te arjeta de identi	le servicios públicos, recibo nombre y la dirección. que pueden ser utilizados idiante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública
dique su no persona. con foto quarnet del estude e educación tearjeta de identi	nombre y la dirección. que pueden ser utilizados idiante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública
dique su no persona. con foto quarnet del estude e educación tearjeta de identi	nombre y la dirección. que pueden ser utilizados idiante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública
con foto quarnet del estude e educación tearjeta de identi	idiante expedida por una institución erciaria acreditada en Kansas tificación de asistencia pública
de molde)	Fecha (mm/dd/aa)
ıtilizados p sas:	para obtener una tarjeta
-645) cceso Común echa de nacimi eporte consula	tificada (Formulario N-560, N-561 o del Ejército de EE.UU. con foto, niento, nombre y rama de servicio lar de Nacimiento en el Extranjero el gobierno de EE.UU.
de molde)	Fecha (mm/dd/aa)
H H	de EE.UU. Cer N-645) Acceso Comúr recha de nacim Reporte consu

Póngase en contacto con la oficina del Secretarío del Estado:

Firma de votante

Obligatorio

Nombe de votante (escribe con letra de molde)

Fecha (mm/dd/aa)

Declaración jurada de la persona que está solicitando una copia Certificada gratuita de su Certificado de Nacimiento



1. Noticia

Comenzando el 1 de enero del 2013, para poder registrarse para votar en Kansas, las personas deben presentar prueba de ciudadanía de los Estados Unidos. Si no poseen ninguno de los documentos enumerados a continuación, puede obtener una copia gratuita certificada de su certificado de nacimiento de Kansas al firmar esta declaración jurada. Si necesita un certificado de nacimiento para obtener una exención de la cuota para la tarjeta de identificación de no conductor, puede enviar este formulario con la forma DE-VID1 para obtener un certificado de nacimiento con el fin de votar.

2. Declaración y	firma Nota: Declaración falsa sobr	re esta afirmación es un nivel de gravedad 9, delito	de no persona.
Por favor, selecci	one <i>una</i> de las siguientes afirn	naciones:	
inscribirme pa	ra votar, que tengo por lo menos	stoy registrado para votar en Kansas, que te 17 años de edad y que no poseo ninguno de dos Unidos en virtud de la ley de Kansas.	•
copia certificado como correspo	da de mi certificado de nacimiento	r, que tengo por lo menos 17 años de edad y o con el fin de votar en virtud de la ley de Ka el fin de obtener una exención de la cuota pa	ansas, y he completado
•	licito una copia certificada de mi o Salud y Medio Ambiente de Kans	certificado de nacimiento desde la Oficina desas.	e Estadísticas Vitales, del
Obligatorio Fire	na del solicitante	Nombre de solicitante (por favor escriba con letra de molde)	Fecha (mm/dd/aa)

3. Requisitos de la Ciudadanía de los Estados Unidos

Los documentos siguientes pueden estar usados como prueba de ciudadanía estadounidense para el propósito de registrarse de votar en Kansas:

- Licencia de manejar o licencia reconocida (sin la capacidad de manejar) como dada por el estado de Kansas u otro estado, si tiene notación que demuestre que la persona ya haya entregado la prueba apropiada de la ciudadanía estadounidense
- Certificado de nacimiento que verifique ciudadanía estadounidense
- Pasaporte estadounidense o las páginas pertinentes del pasaporte estadounidense, válido o caducado, que identifican el solicitante y el número de pasaporte del solicitante
- Documentos de la naturalización estadounidenses o el número del certificado de la naturalización. (Si se provee sólo el número del certificado de naturalización, el solicitante no se incluirán en el padrón electoral hasta que el número del certificado de naturalización se verifica con la oficina de Estados Unidos Servicios de Ciudadanía e Inmigración por el oficial electoral del condado o de la secretario de Estado, de conformidad con 8 USC § 1373 (c))
- Otros documentos o métodos de la prueba de la ciudadanía estadounidense dada por el gobierno federal según el Acto de la inmigración y la nacionalidad de 1952

- Número de tarjeta de la Oficina de Asuntos Indígenas, tratado tribal número de tarjeta o número de matriculación tribal
- Anuncio consular de nacimiento de un/a ciudadano/a fuera de los EEUU
- Certificado de ciudadanía dada por los Servicios de Ciudadanía y la Inmigración Estadounidense
- Certificado de ciudadanía dada por los Servicios de Ciudadanía y la Inmigración Estadounidense
- Tarjeta de la indígena estadounidense, con la clasificación KIC, dada por el US Departamento de Seguridad Nacional
- Decreto de adopción final que demuestre el nombre y lugar estadounidense del aplicante
- Documentos de servicio del ejército federal que demuestre el lugar de nacimiento del aplicante en los Estados Unidos
- Extracto de un hospital estadounidense de nacimiento hecho a la hora de tal nacimiento del aplicante que demuestre el lugar de nacimiento del aplicante en los Estados Unidos

4. Información de contacto

Póngase en contacto con la Oficina de Estadísticas Vitales en el 1000 SW Jackson, Suite 120, Topeka, KS, 66612-2221 o por teléfono al (785) 296-1400. Las horas de oficina son de 8:00 a 5:00 de lunes a viernes, con horario de servicio al cliente sin cita de 9:00 a 4:00. También puede visitar **www.kdheks.gov/vital.**

SOLICITUD PARA COPIA CERTIFICADA DEL ACTA DE NACIMIENTO

LAS ACTAS DE NACIMIENTO ESTÁN ARCHIVADAS DESDE EL 1 DE JULIO DE 1911, HASTA EL PRESENTE (POR FAVOR ESCRIBA CON LETRAS DE IMPRENTA)
\$15.00 POR UNA COPIA CERTIFICADA O UNA TARJETA TAMAÑO CARTERA Y \$15.00 POR CADA ADICIONAL DEL MISMO ARCHIVO

NUMERO DE A	CTAS SOLICITADAS	INFORMACION ADICIONAL SOB	RE EL COSTO AL REVERSO
COPIAS (CERTIFICADAS	TARJETAS DE TAMAÑO CARTERA (VEA AL REVERSO)	COSTO TOTAL
NOMBRE EN EL ACT	A		
	PRIMERO	SEGUNDO	APELLIDO
FECHA DE	TID A	D DE FORA DEDOOMA AT DECEMBE	D 4.77.4
NACIMIENTO	<u></u> EDA DÍA AÑO FEC	D DE ESTA PERSONA AL PRESENTE _ HA DE MUERTE, SI ES APLICABLE	SEXO: M F
LUGAR DE	DII 1110 120	in bu mount by or horizont.	
NACIMIENTO			
CIUD. NOMBRE DE	AD CO	NDADO ESTADO (TIENE QUE	SER KANSAS) HOSPITAL
		LUGAR DE NA	CIMIENTO
	ERO SEGUNDO	LUGAR DE NA APELLIDO	
NOMBRE		LUCIA PRAVI	OD GTV IDO
DEL PADKEPRIM	FRO SECUNDO	LUGAR DE NA APELLIDO	CIMIENTO
I KIIVI	EKO SEGONDO	ALELLIDO	
		'A FUE ADOPTADA, COMPLETE ESTA	—
¿ADOPTADO? S	I∐ NO∐ ¿ES UNA	A SOLICTUD ANTES DE UNA ADOPCIÓ	bn? si ☐ no ☐
NOMBRE ORIGINAL,	SI SE CONOCE		
· · · · · · · · · · · · · · · · · · ·		<u>NA COPIA DE IDENTIFICACIÓN CON (VEA AL REVERSO PARA UNA LISTA</u>	
	•		
NOMBRE DEL SOLIC	ITANTE (LETRAS DE IMF	PRENTA)	
DOMICII IO			
DOWNCILIO			
	CIUDAD	ESTADO	CÓDIGO POSTAL
RAZÓN POR LA QUE	SOLICITA (ESPECIFÍQUE		
		(Se pregunta para poder proveer ser	vicio apropiado)
AB'S CONO DO TOU ÉCO	NA BUB INDEED DÉI		
NUMERO DE TELEFO	ONO DURANTE EL DÍA		
RELACIÓN CON LA F	PERSONA NOMBRADA EI	N EL ACTA (REQUERIDO)	
			erso para requisitos de elegibilidad)
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(REQUERIDO)	ARCHA (1941) - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941 - 1941	FECHA DE	HOY
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DIRECCIÓN PARA		IT OF HEALTH AND ENVIRONMENT	
ENVIAR ESTE FORMULARIO:	OFFICE OF VITAL ST 1000 SW JACKSON, SI		
TORRIODAMO,	TOPEKA, KS 66612-2		
	•	TCIO PERSONAL: 9:00 - 4:00, LUNES- V	IERNES

POR FAVOR ENVÍE UN SOBRE DE TAMAÑO NEGOCIO CON SU DOMICILIO Y ESTAMPILLA.

HORARIO PARA LLAMADAS: 8:00 - 5:00, LUNES- VIERNES, (785) 296-1400

IDENTIFICACIÓN

IDENTIFICACIÓN DE LA PERSONA COMPLETANDO ESTE FORMULARIO ES REQUERIDA

Debido a robos de identidad y otros usos ilegales de documentos vitales, la aceptación de identificación es limitada. No envíe identificación original con su solicitud.

ES NECESARIA INCLUIR UNA FOTOCOPIA DE IDENTIFICACIÓN CON FOTOGRAFÍA EMITIDA POR EL GOBIERNO (ESTADO O FEDERAL). PUEDE SER EMITIDA POR LOS ESTADOS UNIDOS U OTRO PAÍS DE RESIDENCIA.

IDENTIFICACIONES ACEPTABLES INCLUYEN:

- Fotocopia de la licencia de manejar
- Fotocopia de identificación emitida por el estado
- Fotocopia del pasaporte o visa
- Fotocopia de identificación del servicio militar

SI NO TIENE UNA IDENTIFICACIÓN CON FOTOGRAFÍA EMITIDA POR EL GOBIERNO, DEBE ENVIAR DOS DE LOS SIGUIENTES:

- Número de Seguro Social
- Estado de cuenta del banco con domicilio actual
- Registro o Título de vehículo (con domicilio actual)
- Recibo de utilidades (luz, agua, etc.) con domicilio actual
- Recibo del pago de empleo (tiene que incluir el nombre, y el número de seguro social, además del nombre y dirección del negocio)

INFORMACIÓN SOBRE EL COSTO

K.A.R. 28-17-6 requiere los siguientes costos:

El pago correcto debe ser enviado con la solicitud. El costo para actas de nacimiento es \$15.00 por una copia certificada o una tarjeta de tamaño cartera (vea la información abajo acerca de las tarjetas) y \$15.00 por cada adicional del mismo archivo ordenada a la misma vez. Este pago permite una búsqueda de cinco años de los registros, el año indicado, dos años anteriores y dos posteriores. Alternativamente, usted puede indicar el período de los cinco años que se necesita buscar. También puede indicar búsquedas múltiples, pero cada búsqueda cuesta \$15.00. ES POSIBLE QUE PEDIDOS MÚLTIPLES PARA DIFERENTES DOCUMENTOS SEAN PROCESADOS Y ENVIADOS POR SEPARADO. SI NO SE ENCUENTRA EL ACTA, EL PAGO DE \$15.00 TIENE QUE SER RETENIDO PARA LA BÚSQUEDA.

Haga su cheque o money orden pagadero a **KANSAS VITAL STATISTICS**. Para su protección, **no envíe efectivo**. El pago expira 12 meses después de la fecha de la solicitud.

TARJETAS DE TAMAÑO CARTERA

NOTA: La tarjeta del acta de nacimiento no incluye información sobre los padres ni tiene un sello realzado (contiene solamente un sello de tinta). Por eso es posible que <u>no sea aceptada</u> para pasaportes, viajes, seguro social o licencia de manejar.

ELEGIBILIDAD

De acuerdo a la ley del estado de Kansas, los documentos vitales de esta oficina no están sujetos a inspección pública. El solicitante debe ser elegible; su nombre debe aparecer en el acta, o debe ser miembro de la familia o alguien que pruebe legalmente que el acta es necesaria para la determinación de derechos personales o de propiedad. [K.S.A. 65-2422d]

Si se ha establecido una custodia legal a través de la corte, por favor envíe una copia de los papeles de custodia.

ADOPCIÓN

Cuando ha ocurrido una adopción, es posible que la familia biológica no tenga derecho legal a las actas del registro del adoptado ni el adoptado tiene el derecho a las actas del registro de la familia biológica.

WEBSITE

Para información adicional, por favor visite nuestra web site a: www.kdheks.gov/vital

ADVERTENCIA: COPIAR O ALTERAR ES PROHIBIDO

Solamente una persona autorizada por el Uniform Vital Statistics Act puede expedir actas originales o copias certificadas. Ninguna otra persona debe de preparar o expedir actas haciendo representar que son actas originales o copias certificadas [K.S.A. 65-2422d.(g)]. Cualquier persona que altera intencionalmente cualquier acta o copia certificada será multada, encarcelada, o ambas. [K.S.A. 65-2434.(1)].

Declaración jurada de pruebas de Ciudadanía de los Estados Unidos

DESCARGUE ESTE FORMULARIO EN WWW.SOS.KS.GOV



1. Introducción

Si se deniega una solicitud de registro de votantes debido a una contradicción en el nombre o el sexo indicado en el documento de ciudadanía provisto, el solicitante podrá firmar la siguiente declaración jurada y presentarla al oficial de elecciones del condado o al Secretario de Estado. El oficial de elecciones evaluará la elegibilidad del solicitante mediante esta declaración jurada y el documento presentado de ciudadanía de los Estados Unidos.

2. Declaración			
razón(es) para la contradicción	nombre o el sexo indicado en el (documento de ciudadania presen	tado, incluyendo la(s)
	· · · · · · · · · · · · · · · · · · ·		
	· · · · · · · · · · · · · · · · · · ·		
3. Dirección			
Dirección de residencia	Ciudad	Estado	Cógido postal
4. Firma del votante Nota: D	eclaración falsa sobre esta afirmación	es un nivel de gravedad 9, delito de no	persona.
	de perjurio que a pesar de la con como prueba de ciudadanía de lo		
Obligatorio Firma del solicitante		Nombre del solicitante (por favor escriba	con letra de molde)
Fecha (MM/DD/AA)		Número de teléfono	

Solicitud para la consideración de los documentos de Ciudadanía de los Estados Unidos por la Junta Electoral del Estado de Kansas



DESCARGUE ESTE FORMULARIO EN WWW SOS KS GOV

1. Introducción

La Ley de Kansas exige que toda persona tratando de registrarse para votar por primera vez presentar pruebas de ciudadanía de los Estados Unidos. Cualquier candidato que sea un ciudadano de los Estados Unidos pero no poseen ningún documento que pruebe su ciudadanía podrá solicitar ser considerado por la Secretaría del Estado de Kansas. Tras la recepción de una solicitud de registro de votantes y la documentación de la ciudadanía, el Secretario de Estado convocará a una reunión de la Junta Electoral del Estado con el fin de evaluar la documentación del solicitante.

El solicitante podrá solicitar una audiencia y una oportunidad para presentar pruebas de su ciudadanía. El Secretario de Estado notificará al solicitante por lo menos cinco días antes de la audiencia.

Para hacer esta solicitud, el solicitante afirma que él/ella no posee ninguno de los documentos enumerados a continuación.

pellido	Nombre	Segundo nombre	
ección de residencia	Ciudad	Estado	Cógido postal
rección de correo electrónico	Número de tel	éfono	
3. Firma del solicitante Nota: Decla	aración falsa sobre esta afirmación es un r	ivel de gravedad 9, delito de n	o persona.
udadanía de los Estados Unidos. P	ta Electoral del Estado de Kansas co or la presente declaro que no poseo	ninguno de los documento	os enumerados a
iudadanía de los Estados Unidos. P		ninguno de los documento	os enumerados a
iudadanía de los Estados Unidos. P	or la presente declaro que no poseo	ninguno de los documento	os enumerados a

4. Requisitos de la Ciudadanía de los Estados Unidos

Los documentos siguientes pueden estar usados como prueba de ciudadanía estadounidense para el propósito de registrarse de votar en Kansas:

- Licencia de manejar o licencia reconocida (sin la capacidad de manejar) como dada por el estado de Kansas u otro estado, si tiene notación que demuestre que la persona ya haya entregado la prueba apropiada de la ciudadanía estadounidense
- Certificado de nacimiento que verifique ciudadanía estadounidense
- Pasaporte estadounidense o las páginas pertinentes del pasaporte estadounidense, válido o caducado, que identifican el solicitante y el número de pasaporte del solicitante
- Documentos de la naturalización estadounidenses o el número del certificado de la naturalización. (Si se provee sólo el número del certificado de naturalización, el solicitante no se incluirán en el padrón electoral hasta que el número del certificado de naturalización se verifica con la oficina de Estados Unidos Servicios de Ciudadanía e Inmigración por el oficial electoral del condado o de la secretario de Estado, de conformidad con 8 USC § 1373 (c))
- Otros documentos o métodos de la prueba de la ciudadanía estadounidense dada por el gobierno federal según el Acto de la inmigración y la nacionalidad de 1952

- Número de tarjeta de la Oficina de Asuntos Indígenas, tratado tribal número de tarjeta o número de matriculación tribal
- Anuncio consular de nacimiento de un/a ciudadano/a fuera de los EEUU
- Certificado de ciudadanía dada por los Servicios de Ciudadanía y la Inmigración Estadounidense
- Certificado de ciudadanía dada por los Servicios de Ciudadanía y la Inmigración Estadounidense
- Tarjeta de la indígena estadounidense, con la clasificación KIC, dada por el US Departamento de Seguridad Nacional
- Decreto de adopción final que demuestre el nombre y lugar estadounidense del aplicante
- Documentos de servicio del ejército federal que demuestre el lugar de nacimiento del aplicante en los Estados Unidos
- Extracto de un hospital estadounidense de nacimiento hecho a la hora de tal nacimiento del aplicante que demuestre el lugar de nacimiento del aplicante en los Estados Unidos

Solicitud para la consideración de los documentos de Ciudadanía de los Estados Unidos por la Junta Electoral del Estado de Kansas



Procedimiento para revisar el estatus de una aplicación de ciudadanía de los Estados Unidos

Si una persona aplica para el registro de votantes en Kansas, pero no tiene ninguno de los documentos para demostrar su ciudadanía de los Estados Unidos, la persona podrá solicitar a la Oficina del Secretario de Estado de Kansas una revisión por la Junta Electoral del Estado. La Junta está integrada por el Vicegobernador, el Procurador General y el Secretario de Estado.

Una vez recibida la solicitud para la revisión por la Oficina de la Secretaría de Estado, el procedimiento es el siguiente:

- 1. El solicitante debe proporcionar una aplicación completa para el registro de votantes y también él/ella puede proporcionar pruebas de su ciudadanía de los Estados Unidos.
- 2. El Secretario de Estado notificará a los demás miembros de la Junta Electoral del Estado que la solicitud está pendiente.
- 3. Se le otorgará al solicitante una oportunidad para comparecer en una audiencia, si lo desea, presentar cualquier prueba adicional a la Junta. Si el solicitante pide una audiencia, la Junta le dará al solicitante al menos cinco días de antelación de la fecha, la hora y la ubicación de la audiencia. El solicitante puede ser representado en la audiencia por un abogado privado.
- 4. La Junta evaluará las pruebas de ciudadanía presentadas por el solicitante y determinará por mayoría de votos si es satisfactorio para otorgar el status para el registro de votantes. Si la prueba es considerada satisfactoria, el solicitante es considerado un votante registrado.
- 5. Si la aplicación se realiza antes del cierre para la inscripción para una elección próxima, la decisión del Consejo se emitirá al menos cinco días antes de las elecciones. El Secretario de Estado notificará al oficial de elecciones del condado en el condado donde reside el solicitante.
- 6. Si la Junta determina que la evidencia de la ciudadanía es insatisfactoria, el solicitante tiene derecho a apelar la decisión instituyendo una acción bajo 8 U.S.C. § 1503. Si el solicitante obtiene una sentencia declaratoria a su favor, la decisión de la Junta Electoral del Estado es considerada a ser revocada.

Envío del formulario

Enviar el formulario a 120 SW 10th ave., Topeka, KS, 66612, al Secretario de Estado de Kansas, División Electoral. Puede ponerse en contacto con la División Electoral al 1-800-262-8683 (VOTE) o en el Internet en www.sos.ks.gov. El número de fax es 1-785-291-3051. También puede enviar un correo electrónico a la oficina al election@sos.ks.gov.



Driver's licence or ID card issued by Kansas or another state

KSA 25-2908(h)(1)(A)



United States Passport

KSA 25-2908(h)(1)(D)









Prior to 2008

Current design

Public Assistance ID Card

KSA 25-2908(h)(1)(H)



Military Identification

KSA 25-2908(h)(1)(F)



Student ID Cards

KSA 25-2908(h)(1)(G)

One form of photo identification permitted by the SAFE Act is "a student identification card issued by an accredited postsecondary institution of education in the state of Kansas." Postsecondary institutions are accredited by nongovernmental accrediting agencies. Accrediting agencies are private educational associations of regional or national scope that develop criteria and conduct evaluations to determine whether the criteria are met. Institutions requesting an agency's evaluation and then complying with the agency's criteria become "accredited" by the accrediting agency.

Although the government does not accredit postsecondary institutions, the U.S. Secretary of Education is required by law to publish a list of nationally recognized accrediting agencies. The U.S. Department of Education website contains a spreadsheet listing all postsecondary institutions in the United States that are accredited by what the Secretary of Education deems to be reliable authorities. The information is updated periodically throughout each year.

When viewing the list on the website it is important to note that each institution can be accredited by multiple accrediting agencies. In those cases the institution will be listed multiple times on the Department of Education list. The attached list was posted to the Department of Education website in August 2011. More information and updated lists can be found at the following links:

- http://ope.ed.gov/accreditation/index.aspx
- http://ope.ed.gov/accreditation/GetDownloadFile.aspx

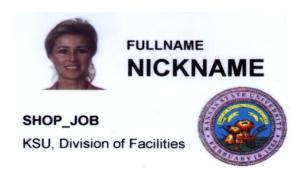
Concealed Carry License issued by Kansas or another state

KSA 25-2908(h)(1)(C)



Employee badges or identification documents issued by a municipal, county, state or federal government office of agency

KSA 25-2908(h)(1)(E)





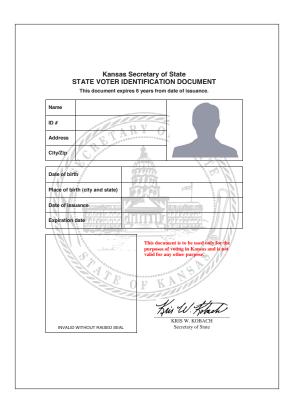


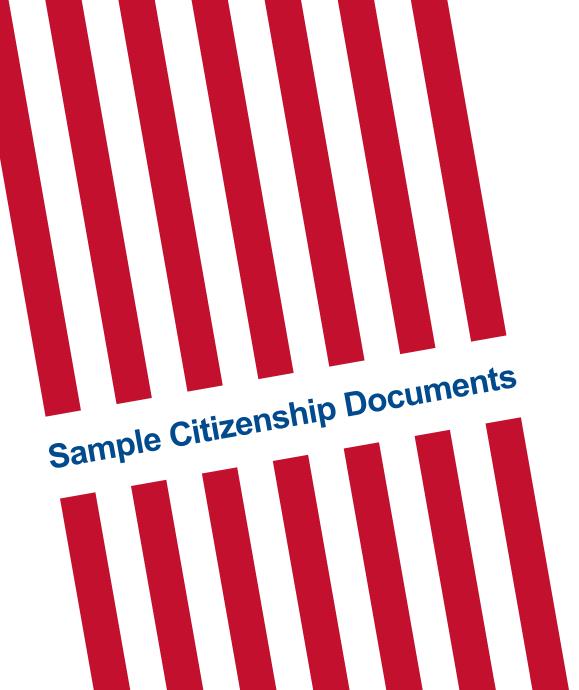


There is no standard badge for municipal, county, state, or federal government employees. Typically each agency issues its own unique badge. Some agencies have multiple types of badges in order to distinguish the area in which the employee works. These badges can be either vertical or horizontal. Government employee badges typically contain a seal of either the agency or the Government body issuing the badge. Below are samples of government issued badges. Most Government issued badges will bear at least some resemblance to one of the attached samples.

State Voter Identification Document KSA 25-2908(h)(1)(H)

In order to address the needs of a small category of voters, the SOS office has adopted a policy to provide a state ID document for individuals who were born outside Kansas and who cannot afford to obtain a birth certificate from their place of birth to use in obtaining a free photo ID from DMV.





Driver's licence or ID card issued by Kansas or another state

KSA 25-2309(1)(1)



NOTE: The issuing agency must indicate on the card that the person has provided satisfactory proof of United States Citizenship.

Certificate of Live Birth

KSA 25-2309(1)(2)

CHIL	D 1. CHILD	YS NAME (First, Middle, Last, Suffix)					2	. TIME OF	BIRTH 24 hr)	3. SEX	4. DATE	OF BIRTH (Mo/Day/Yr
	5. FACILI	TY NAME (If not institution, give street ar	nd number)		6. CITY	TOWN, C	OR LOCA	TION OF B	IRTH	7. COUI	NTY OF BI	RTH
мотне	R Ba. MOT	HER'S CURRENT LEGAL NAME (Fire	it, Middle, La	st, Suffix)		T	8b. DATE	E OF BIRTH	(Mo/Day/	Yr)		
		HER'S NAME PRIOR TO FIRST MAR	DIAGE (Ein	or Middle Leet Suffix)			2d RIDT	THPLACE (State Tem	Good of Eng	wion Coun	tou
	00. 1101	TEROTO METROCK TO THOS MAIN	action (File	n, mode, Eds., Comxy			ou. Dire	THE EXICE (June, ren	,	cigi i coui	,,
	9a. RESI	DENCE OF MOTHER-STATE 9	b. COUNTY	1			9c. Cl	TY, TOWN,	OR LOCA	TION		
	9d. STR	EET AND NUMBER				9e. APT	. NO.	9f. ZIP CO	DDE			9g. INSIDE CITY LIMITS?
FATHE	R 108. FAT	THER'S CURRENT LEGAL NAME (Fir	st, Middle, La	est, Suffix)	10b. DA	TE OF BII	RTH (Mo/	Day/Yr)	10c. BIR	THPLACE	State, Terr	tory, or Foreign Country)
CERTIFI	CIBIL	TIFIER'S NAME:				12. DA	TE CERT	TIFIED		13. DAT	E FILED B	Y REGISTRAR
		MD DO DO HOSPITAL ADMII OTHER (Specify)					M DD	, _{YYY}	Y	ММ	DD	YYYY
мотне	R 14. MOT	HER'S MAILING ADDRESS: 9 San		NATION FOR ADMIN nce, or: State:	IISTRATIV	EUSE		City, Town,	or Locatio	in:		
	Street	& Number:						Apartm				Zip Code:
		ER MARRIED? (At birth, conception, o , HAS PATERNITY ACKNOWLEDGE			□ Ye PITAL? □ Ye			OCIAL SECT OR CHILD?	URITY NU	MBER REC	QUESTED	17. FACILITY ID. (NF
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REV. 11/2003												

United States Passport

KSA 25-2309(1)(3)









Prior to 2008

Current design

Certificate of naturalization

KSA 25-2309(1)(4)



Consular report of birth abroad

KSA 25-2309(1)(7)

	DEPARTS	ATES OF AMERICA MENT OF STATE	. 011	
	Consular Repo			
This is	to certify that	NORA RADRUSSEN	SPAIN	PEDALE
born at	Name of the same o		Cont	
on.	acquired United States cit	inenship at birth as est	ablished by documents	ry evidence presented
JUNE 02, 2009	of the United States at	H	GORID, SPAIN	
	Father P.	ARENTS	Mether	e manan
Date of Birth		Date of Birth		my.
(SEAL	STEAT		charles and	and the same of th
			sevesto, abyra	Sumple County
				Bull .
	35/11		* 100	

Certification of birth abroad (no longer issued as of 1990)

KSA 25-2309(1)(7)



Bureau of Indian Affairs Card (Tribal ID)

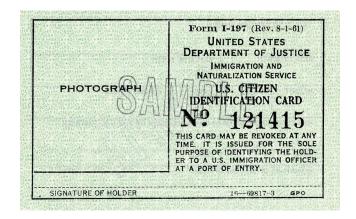
KSA 25-2309(1)(6)



NOTE: These examples are just some of the recognized tribes in the United States. See list at the end of this sectrion for a full list of the currently recognized tribes.

U.S. Citizenship ID cards (no longer used)

KSA 25-2309(1)(8)



Certificate of citizenship

KSA 25-2309(1)(4)



Certification of report of birth

KSA 25-2309(1)(9)



Hospital record of birth

KSA 25-2309(1)(13)



Final adoption decree

KSA 25-2309(1)(11)

STATE FI	LE NUMBER	NO		HITEOUTS, PH TERATIONS	OTOCOPIES,		LOCAL REGISTRATION NUMBER
		ТҮРЕ	OR PRINT CLE	ARLY IN BLAC	K INK ONLY		
PART I		rmation provided in this s ble to prepare a new Certi			ation as it w	as at birth. Wit	hout this data, it may be
	1A. NAME OF	CHILD—FIRST	1B. MIDDLE			1C. LAST (BIRTH)	
FACTS OF BIRTH	2. SEX	3. DATE OF BIRTH—MM/DD/CCYY	4. NAME OF PHY	SICIAN (OR ATTENDA	ANT, CERTIFIER, OR C	: THER PERSON WHO ATTE	NDED THIS BIRTH)
	5A. PLACE O	F BIRTH—NAME OF HOSPITAL OR FACILIT	Y	5B. CITY			5C. STATE OR COUNTRY
PARENTS'	6A. FULL NAI	ME OF FATHER/PARENT—FIRST	6B. MIDDLE			6C. LAST (BIRTH)	:
DATA	7A. FULL NA	ME OF MOTHER/PARENT—FIRST	7B. MIDDLE			7C. LAST (BIRTH)	
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FATHER/ PARENT INFORMATION		FATHER/PARENT—FIRST	8B. MIDDLE			8C. LAST (BIRTH)	
	9. STATE/FO	REIGN COUNTRY OF BIRTH			10. DATE OF BIF	TH-MM/DD/CCYY	
MOTHER/	CHECK THE	APPROPRIATE BOX: ADOPTIVE MOT	THER/PARENT	Віоц	OGICAL MOTHER/	PARENT	
PARENT INFORMATION	11A. NAME C	F MOTHER/PARENT—FIRST	11B. MIDDLE			11C. LAST (BIRTH)	
	12. STATE/FO	DREIGN COUNTRY OF BIRTH			13. DATE OF BIF	TH-MM/DD/CCYY	
	oirth certificate : and Safety Co	sealed, and a new birth certificate of de Section 102640, I choose not to		🗆	omitted from th		_
	16. SIGNATU	RE OF PARENT VERIFYING DATA IN F	PARTII	17. MAILING ADD	RESS OF PARENT	VERIFYING DATA IN F	PART II
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KSA 25-2309(1)(12)

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Same as # 5		<u> </u>	YES NO	None	Mexia,		
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List of recognized tribes

Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs Absentee-Shawnee Tribe of Indians of Oklahoma Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona Alabama-Coushatta Tribes of Texas Alabama-Quassarte Tribal Town, Oklahoma Alturas Indian Rancheria, California Apache Tribe of Oklahoma Arapahoe Tribe of the Wind River Reservation, Wyoming Aroostook Band of Micmac Indians of Maine Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana Augustine Band of Cahuilla Indians, California (formerly the Augustine Band of Cahuilla Mission Indians of the Augustine Reservation) Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin Bay Mills Indian Community, Michigan Bear River Band of the Rohnerville Rancheria, California Berry Creek Rancheria of Maidu Indians of California Big Lagoon Rancheria, California Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California Big Sandy Rancheria of Mono Indians of California Big Valley Band of Pomo Indians of the Big Valley Rancheria, California Blackfeet Tribe of the Blackfeet Indian Reservation of Montana Blue Lake Rancheria, California Bridgeport Paiute Indian Colony of California Buena Vista Rancheria of Me-Wuk Indians of California Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon Cabazon Band of Mission Indians, California Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California Caddo Nation of Oklahoma Cahuilla Band of Mission Indians of the Cahuilla Reservation, California Cahto Indian Tribe of the Laytonville Rancheria, California California Valley Miwok Tribe, California Campo Band of Diegueno Mission

Indians of the Campo Indian

Reservation, California

Capitan Grande Band of Diegueno Mission Indians of California: Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California Catawba Indian Nation (aka Catawba Tribe of South Carolina) Cayuga Nation of New York Cedarville Rancheria, California Chemehuevi Indian Tribe of the Chemehuevi Reservation, California Cher-Ae Heights Indian Community of the Trinidad Rancheria, California Cherokee Nation, Oklahoma Chevenne and Arapaho Tribes, Oklahoma (formerly the Cheyenne-Arapaho Tribes of Ŏklahoma) Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota Chickasaw Nation, Oklahoma Chicken Ranch Rancheria of Me-Wuk Indians of California Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana Chitimacha Tribe of Louisiana Choctaw Nation of Oklahoma Citizen Potawatomi Nation, Oklahoma Cloverdale Rancheria of Pomo Indians of California Cocopah Tribe of Arizona Coeur D'Alene Tribe of the Coeur D'Alene Reservation, Idaho Cold Springs Rancheria of Mono Indians of California Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California Comanche Nation, Oklahoma Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana Confederated Tribes of the Chehalis Reservation, Washington Confederated Tribes of the Colville Reservation, Washington Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon Confederated Tribes of the Goshute Reservation, Nevada and Utah Confederated Tribes of the Grand Ronde Community of Oregon Confederated Tribes of Siletz Indians of Oregon (previously listed as the Confederated Tribes of the Siletz Reservation) Confederated Tribes of the Umatilla Reservation, Oregon Confederated Tribes of the Warm Springs Reservation of Oregon Confederated Tribes and Bands of the Yakama Nation, Washington Coquille Tribe of Oregon Cortina Indian Rancheria of Wintun Indians of California

Coushatta Tribe of Louisiana

Cow Creek Band of Umpqua Indians of Oregon

Cowlitz Indian Tribe, Washington Coyote Valley Band of Pomo Indians of California

Crow Tribe of Montana

Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota

Death Valley Timbi-Sha Shoshone Band of California

Delaware Nation, Oklahoma

Delaware Tribe of Indians, Oklahoma Dry Creek Rancheria of Pomo Indians of California

Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada Eastern Band of Cherokee Indians of

North Carolina

Eastern Shawnee Tribe of Oklahoma Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, California

Elk Valley Rancheria, California Ely Shoshone Tribe of Nevada

Enterprise Rancheria of Maidu Indians of California

Ewiiaapaayp Band of Kumeyaay Indians, California

Federated Indians of Graton Rancheria, California

Flandreau Santee Sioux Tribe of South Dakota

Forest County Potawatomi Community, Wisconsin

Fort Belknap Indian Community of the Fort Belknap Reservation of Montana

Fort Bidwell Indian Community of the Fort Bidwell Reservation of California

Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California

Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon

Fort McDowell Yavapai Nation, Arizona Fort Mojave Indian Tribe of Arizona, California & Nevada

Fort Sill Apache Tribe of Oklahoma Gila River Indian Community of the Gila River Indian Reservation, Arizona

Grand Traverse Band of Ottawa and Chippewa Indians, Michigan

Greenville Rancheria of Maidu Indians of California

Grindstone Indian Rancheria of Wintun-Wailaki Indians of California Guidiville Rancheria of California

Guidiville Rancheria of California Habematolel Pomo of Upper Lake, California

Hannahville Indian Community, Michigan

Havasupai Tribe of the Havasupai Reservation, Arizona Ho-Chunk Nation of Wisconsin

Hoh Indian Tribe of the Hoh Indian Reservation, Washington Hoopa Valley Tribe, California Hopi Tribe of Arizona

Hopland Band of Pomo Indians of the Hopland Rancheria, California

Houlton Band of Maliseet Indians of Maine

Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona

Iipay Nation of Santa Ysabel, California (formerly the Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation)

Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California

Ione Band of Miwok Indians of California

Iowa Tribe of Kansas and Nebraska Iowa Tribe of Oklahoma

Jackson Rancheria of Me-Wuk Indians of California

Jamestown S'Klallam Tribe of Washington

Jamul Indian Village of California Jena Band of Choctaw Indians, Louisiana

Jicarilla Apache Nation, New Mexico Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona

Kalispel Indian Community of the Kalispel Reservation, Washington Karuk Tribe (formerly the Karuk Tribe

Karuk Tribe (formerly the Karuk Tribe of California)

Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California Kaw Nation, Oklahoma

Kewa Pueblo, New Mexico (formerly the Pueblo of Santo Domingo)

Keweenaw Bay Indian Community, Michigan

Kialegee Tribal Town, Oklahoma Kickapoo Tribe of Indians of the

Kickapoo Reservation in Kansas Kickapoo Tribe of Oklahoma Kickapoo Traditional Tribe of Texas Kiowa Indian Tribe of Oklahoma Klamath Tribes, Oregon Kootenai Tribe of Idaho

La Jolla Band of Luiseno Indians, California (formerly the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation)

La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California

Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin

Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin

Lac Vieux Desert Band of Lake Superior Chippewa Indians, Michigan

Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada Little River Band of Ottawa Indians,

Michigan Little Traverse Bay Bands of Odawa Indians, Michigan Lower Lake Rancheria, California Los Coyotes Band of Cahuilla and Cupeno Indians, California (formerly the Los Coyotes Band of Cahuilla & Cupeno Indians of the Los Coyotes Reservation)

Lovelock Painte Tribe of the Lovelock Indian Colony, Nevada

Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota

Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington

Lower Sioux Indian Community in the State of Minnesota

Lummi Tribe of the Lummi Reservation, Washington

Lytton Rancheria of California Makah Indian Tribe of the Makah Indi

Makah Indian Tribe of the Makah Indian Reservation, Washington

Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, California

Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California

Mashantucket Pequot Tribe of Connecticut

Mashpee Wampanoag Tribe, Massachusetts

Match-e-be-nash-she-wish Band of
Pottawatomi Indians of Michigan

Mechoopda Indian Tribe of Chico Rancheria, California

Menominee Indian Tribe of Wisconsin Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California

Mescalero Apache Tribe of the Mescalero Reservation, New Mexico

Miami Tribe of Oklahoma Miccosukee Tribe of Indians of Florida Middletown Rancheria of Pomo Indians

Minnesota Chippewa Tribe, Minnesota (Six component reservations:

of California

Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band)

Mississippi Band of Choctaw Indians, Mississippi

Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada

Modoc Tribe of Oklahoma Mohegan Indian Tribe of Connecticut Mooretown Rancheria of Maidu Indians

of California Morongo Band of Mission Indians, California (formerly the Morongo Band of Cahuilla Mission Indians of

the Morongo Reservation)
Muckleshoot Indian Tribe of the
Muckleshoot Reservation, Washington
Muscogee (Greek) Nation, Oklahoma
Narragansett Indian Tribe of Rhode

Island

Navajo Nation, Arizona, New Mexico & Utah Nez Perce Tribe, Idaho (previously listed as Nez Perce Tribe of Idaho) Nisqually Indian Tribe of the Nisqually Reservation, Washington Nooksack Indian Tribe of Washington Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana Northfork Rancheria of Mono Indians of California Northwestern Band of Shoshoni Nation of Utah (Washakie) Nottawaseppi Huron Band of the Potawatomi, Michigan (formerly the Huron Potawatomi, Inc.) Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota Ohkay Owingeh, New Mexico (formerly the Pueblo of San Juan) Omaha Tribe of Nebraska Oneida Nation of New York Oneida Tribe of Indians of Wisconsin Onondaga Nation of New York Osage Nation, Oklahoma (formerly the Osage Tribe) Ottawa Tribe of Oklahoma Otoe-Missouria Tribe of Indians, Oklahoma Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)) Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California Pala Band of Luiseno Mission Indians of the Pala Reservation, California Pascua Yaqui Tribe of Arizona Paskenta Band of Nomlaki Indians of California Passamaquoddy Tribe of Maine Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation, California Pawnee Nation of Oklahoma Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California Penobscot Tribe of Maine Peoria Tribe of Indians of Oklahoma Picayune Rancheria of Chukchansi Indians of California Pinoleville Pomo Nation, California (formerly the Pinoleville Rancheria of

Pomo Indians of California)

Pit River Tribe, California (includes XL

Ranch, Big Bend, Likely, Lookout,

Montgomery Creek and Roaring Creek Rancherias) Poarch Band of Creek Indians of Alabama Pokagon Band of Potawatomi Indians, Michigan and Indiana Ponca Tribe of Indians of Oklahoma Ponca Tribe of Nebraska Port Gamble Indian Community of the Port Gamble Reservation, Washington Potter Valley Tribe, California Prairie Band of Potawatomi Nation, Kansas Prairie Island Indian Community in the State of Minnesota Pueblo of Acoma, New Mexico Pueblo of Cochiti, New Mexico Pueblo of Jemez, New Mexico Pueblo of Isleta, New Mexico Pueblo of Laguna, New Mexico Pueblo of Nambe, New Mexico Pueblo of Picuris, New Mexico Pueblo of Pojoaque, New Mexico Pueblo of San Felipe, New Mexico Pueblo of San Ildefonso, New Mexico Pueblo of Sandia, New Mexico Pueblo of Santa Ana, New Mexico Pueblo of Santa Clara, New Mexico Pueblo of Taos, New Mexico Pueblo of Tesuque, New Mexico Pueblo of Zia, New Mexico Puyallup Tribe of the Puyallup Reservation, Washington Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada Quapaw Tribe of Indians, Oklahoma Quartz Valley Indian Community of the Quartz Valley Reservation of California Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona Quileute Tribe of the Quileute Reservation, Washington Quinault Tribe of the Quinault Reservation, Washington Ramona Band of Cahuilla, California (formerly the Ramona Band or Village of Cahuilla Mission Indians of California) Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin Red Lake Band of Chippewa Indians, Minnesota Redding Rancheria, California Redwood Valley Rancheria of Pomo Indians of California Reno-Sparks Indian Colony, Nevada Resighini Rancheria, California Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California Robinson Rancheria of Pomo Indians of California Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota Round Valley Indian Tribes of the Round Valley Reservation,

Sac & Fox Tribe of the Mississippi in

Sac & Fox Nation of Missouri in Kansas and Nebraska Sac & Fox Nation, Oklahoma Saginaw Chippewa Indian Tribe of Michigan St. Croix Chippewa Indians of Wisconsin Saint Regis Mohawk Tribe, New York (formerly the St. Regis Band of Mohawk Indians of New York) Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona Samish Indian Tribe, Washington San Carlos Apache Tribe of the San Carlos Reservation, Arizona San Juan Southern Paiute Tribe of Arizona San Manuel Band of Mission Indians, California (previously listed as the San Manual Band of Serrano Mission Indians of the San Manual Reservation) San Pasqual Band of Diegueno Mission Indians of California Santa Rosa Indian Community of the Santa Rosa Rancheria, California Santa Rosa Band of Cahuilla Indians. California (formerly the Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation) Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California Santee Sioux Nation, Nebraska Sauk-Suiattle Indian Tribe of Washington Sault Ste. Marie Tribe of Chippewa Indians of Michigan Scotts Valley Band of Pomo Indians of California Seminole Nation of Oklahoma Seminole Tribe of Florida (Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations) Seneca Nation of New York Seneca-Cayuga Tribe of Oklahoma Shakopee Mdewakanton Sioux Community of Minnesota Shawnee Tribe, Oklahoma Sherwood Valley Rancheria of Pomo Indians of California Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington Shoshone Tribe of the Wind River Reservation, Wyoming Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota Skokomish Indian Tribe of the Skokomish Reservation, Washington

Skull Valley Band of Goshute Indians of Smith River Rancheria, California Snoqualmie Tribe, Washington Soboba Band of Luiseno Indians, California Sokaogon Chippewa Community, Wisconsin Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado Spirit Lake Tribe, North Dakota Spokane Tribe of the Spokane Reservation, Washington Squaxin Island Tribe of the Squaxin Island Reservation, Washington Standing Rock Sioux Tribe of North & South Dakota Stockbridge Munsee Community, Wisconsin Stillaguamish Tribe of Washington Summit Lake Paiute Tribe of Nevada Suquamish Indian Tribe of the Port Madison Reservation, Washington Susanville Indian Rancheria, California Swinomish Indians of the Swinomish Reservation, Washington Sycuan Band of the Kumeyaay Nation Table Mountain Rancheria of California Te-Moak Tribe of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band; Elko Band; South Fork Band and Wells Band) Thlopthlocco Tribal Town, Oklahoma Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota Tohono O'odham Nation of Arizona Tonawanda Band of Seneca Indians of New York Tonkawa Tribe of Indians of Oklahoma Tonto Apache Tribe of Arizona Torres Martinez Desert Cahuilla Indians, California (formerly the Torres-Martinez Band of Cahuilla Mission Indians of California) Tule River Indian Tribe of the Tule River Reservation, California Tulalip Tribes of the Tulalip Reservation, Washington Tunica-Biloxi Indian Tribe of Louisiana Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California Turtle Mountain Band of Chippewa Indians of North Dakota Tuscarora Nation of New York Twenty-Nine Palms Band of Mission Indians of California United Auburn Indian Community of the Auburn Rancheria of California United Keetoowah Band of Cherokee Indians in Oklahoma Upper Sioux Community, Minnesota Upper Skagit Indian Tribe of Washington Ute Indian Tribe of the Uintah & Ouray Reservation, Utah Ute Mountain Tribe of the Ute Mountain

Reservation, Colorado, New Mexico

& Utah

Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California Walker River Paiute Tribe of the Walker River Reservation, Nevada Wampanoag Tribe of Gay Head (Aquinnah) of Massachusetts Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Stewart Community, & Washoe Ranches) White Mountain Apache Tribe of the Fort Apache Reservation, Arizona Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma Wilton Rancheria, California Winnebago Tribe of Nebraska Winnemucca Indian Colony of Nevada Wiyot Tribe, California (formerly the Table Bluff Reservation—Wiyot Tribe Wvandotte Nation, Oklahoma Yankton Sioux Tribe of South Dakota Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada Yocha Dehe Wintun Nation, California (formerly the Rumsey Indian Rancheria of Wintun Indians of California) Yomba Shoshone Tribe of the Yomba Reservation, Nevada Ysleta Del Sur Pueblo of Texas Yurok Tribe of the Yurok Reservation, California Zuni Tribe of the Zuni Reservation, New Mexico Native Entities Within the State of Alaska Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs Native Village of Afognak Agdaagux Tribe of King Cove Native Village of Akhiok Akiachak Nativé Community Akiak Native Community Native Village of Akutan Village of Alakanuk Alatna Village Native Village of Aleknagik Algaaciq Native Village (St. Mary's) Allakaket Village

Native Village of Ambler

Yupilt of Andreafski

Asa'carsarmiut Tribe

Native Village of Atka

Village of Atmautluak

Village of Aniak

Anvik Village

Village of Anaktuvuk Pass

Angoon Community Association

Arctic Village (See Native Village of

Venetie Tribal Government)

Native Village of Belkofski Village of Bill Moore's Slough Birch Creek Tribe Native Village of Brevig Mission Native Village of Buckland Native Village of Cantwell Native Village of Chenega (aka Chanega) Chalkyitsik Village Cheesh-Na Tribe (formerly the Native Village of Chistochina) Village of Chefornak Chevak Native Village Chickaloon Native Village Chignik Bay Tribal Council (formerly the Native Village of Chignik) Native Village of Chignik Lagoon Chignik Lake Village Chilkat Indian Village (Klukwan) Chilkoot Indian Association (Haines) Chinik Eskimo Community (Golovin) Native Village of Chitina Native Village of Chuathbaluk (Russian Mission, Kuskokwim) Chuloonawick Native Village Circle Native Community Village of Clarks Point Native Village of Council Craig Community Association Village of Crooked Creek Curyung Tribal Council Native Village of Deering Native Village of Diomede (aka Inalik) Village of Dot Lake Douglas Indian Association Native Village of Eagle Native Village of Eek Egegik Village Eklutna Native Village Native Village of Ekuk Ekwok Village Native Village of Elim Emmonak Village Evansville Village (aka Bettles Field) Native Village of Eyak (Cordova) Native Village of False Pass Native Village of Fort Yukon Native Village of Gakona Galena Village (aka Louden Village) Native Village of Gambell Native Village of Georgetown Native Village of Goodnews Bay Organized Village of Grayling (aka Holikachuk) Gulkana Village Native Village of Hamilton Healy Lake Village Holy Cross Village Hoonah Indian Association Native Village of Hooper Bay Hughes Village Huslia Village Hydaburg Cooperative Association Igiugig Village Village of Iliamna Inupiat Community of the Arctic Slope

Atgasuk Village (Atkasook)

Beaver Village

Native Village of Barrow Inupiat Traditional Government

Igurmuit Traditional Council Ivanoff Bay Village Kaguyak Village
Organized Village of Kake
Kaktovik Village (aka Barter Island) Village of Kalskag Village of Kaltag Native Village of Kanatak Native Village of Karluk Organized Village of Kasaan Kasigluk Traditional Elders Council Kenaitze Indian Tribe Ketchikan Indian Corporation Native Village of Kiana King Island Native Community King Salmon Tribe Native Village of Kipnuk Native Village of Kivalina Klawock Cooperative Association Native Village of Kluti Kaah (aka Copper Center) Knik Tribe Native Village of Kobuk Kokhanok Village Native Village of Kongiganak Village of Kotlik Native Village of Kotzebue Native Village of Koyuk Koyukuk Native Village Organized Village of Kwethluk Native Village of Kwigillingok Native Village of Kwinhagak (aka Quinhagak) Native Village of Larsen Bay Levelock Village Lime Village Village of Lower Kalskag Manley Hot Springs Village Manokotak Village Native Village of Marshall (aka Fortuna Ledge) Native Village of Mary's Igloo McGrath Native Village Native Village of Mekoryuk Mentasta Traditional Council Metlakatla Indian Community, Annette Island Reserve Native Village of Minto Naknek Native Village Native Village of Nanwalek (aka English Bay) Native Village of Napaimute Native Village of Napakiak Native Village of Napaskiak Native Village of Nelson Lagoon Nenana Native Association New Koliganek Village Council New Stuyahok Village Newhalen Village Newtok Village Native Village of Nightmute Nikolai Village Native Village of Nikolski Ninilchik Village Native Village of Noatak Nome Eskimo Community Nondalton Village Noorvik Native Community

Northway Village

Native Village of Nuiqsut (aka Nooiksut) Nulato Village Nunakauyarmiut Tribe Native Village of Nunam Iqua (formerly the Native Village of Sheldon's Native Village of Nunapitchuk Village of Ohogamiut Village of Old Harbor Orutsararmuit Native Village (aka Bethel) Oscarville Traditional Village Native Village of Ouzinkie Native Village of Paimiut Pauloff Harbor Village Pedro Bay Village Native Village of Perryville Petersburg Indian Association Native Village of Pilot Point Pilot Station Traditional Village Native Village of Pitka's Point Platinum Traditional Village Native Village of Point Hope Native Village of Point Lay Native Village of Port Graham Native Village of Port Heiden Native Village of Port Lions Portage Creek Village (aka Ohgsenakale) Pribilof Islands Aleut Communities of St. Paul & St. George Islands Qagan Tayagungin Tribe of Sand Point Village Qawalangin Tribe of Unalaska Rampart Village Village of Red Devil Native Village of Ruby Saint George Island (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands) Native Village of Saint Michael Saint Paul Island (See Pribilof Islands Aleut Communities of St. Paul & St. George Islands) Village of Salamatoff Native Village of Savoonga Organized Village of Saxman Native Village of Scammon Bay Native Village of Selawik Seldovia Village Tribe Shageluk Native Village Native Village of Shaktoolik Native Village of Shishmaref Native Village of Shungnak Sitka Tribe of Alaska Skagway Village Village of Sleetmute Village of Solomon South Naknek Village Stebbins Community Association Native Village of Stevens Village of Stony River Sun'aq Tribe of Kodiak (formerly the Shoonag' Tribe of Kodiak) Takotna Village Native Village of Tanacross Native Village of Tanana Tangirnaq Native Village (formerly Lesnoi Village (aka Woody Island)) Native Village of Tatitlek

Native Village of Tazlina Telida Village Native Village of Teller Native Village of Tetlin Central Council of the Tlingit & Haida Indian Tribes Traditional Village of Togiak Tuluksak Native Community Native Village of Tuntutuliak Native Village of Tununak Twin Hills Village Native Village of Tyonek Ugashik Village Umkumiut Native Village (previously listed as Umkumiute Native Village) Native Village of Unalakleet Native Village of Unga Village of Venetie (See Native Village of Venetie Tribal Government) Native Village of Venetie Tribal Government (Arctic Village and Village of Venetie) Village of Wainwright Native Village of Wales Native Village of White Mountain Wrangell Cooperative Association Yakutat Tlingit Tribe [FR Doc. 2010-24640 Filed 9-30-10; 8:45 am] BILLING CODE 4310-4J-P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-308-310, 520, and 521 (Third Review)]

Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand

AGENCY: United States International Trade Commission.

ACTION: Institution of five-year reviews concerning the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; ¹ to be assured of

¹No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 11-5-224, expiration date June 30, 2011. Public reporting



Secure and Fair Elections Act 2011 House Bill No. 2067

- **8-1324.** Nondriver's identification card; application for; proof of age, identity and lawful presence; fees. (a) Any resident who does not hold a current valid Kansas driver's license may make application to the division of vehicles and be issued one identification card.
- (b) For the purpose of obtaining an identification card, an applicant shall submit, with the application, proof of age, proof of identity and proof of lawful presence. An applicant shall submit with the application a photo identity document, except that a non-photo identity document is acceptable if it includes both the applicant's full legal name and date of birth, and documentation showing the applicant's name, the applicant's address of principal residence and the applicant's social security account number. The applicant's social security number shall remain confidential and shall not be disclosed. except as provided pursuant to K.S.A. 74-2012, and amendments thereto. If the applicant does not have a social security number, the applicant shall provide proof of lawful presence and Kansas residency. The division shall assign a distinguishing number to the identification card. Before issuing an identification card to a person, the division shall make reasonable efforts to verify with the issuing agency the issuance, validity and completeness of each document required to be presented by the applicant to prove age, identity and lawful presence.
- (c) The division shall not issue an identification card to any person who fails to provide proof that the person is lawfully present in the United States. If an applicant provides evidence of lawful presence as set out in subsections (b)(2)(E) through (2)(I) of K.S.A. 8-240, and amendments thereto, or is an alien lawfully admitted for temporary residence under subsection (b)(2)(B) of K.S.A. 8-240, and amendments thereto, the division may only issue a temporary identification card to the person under the following conditions: (A) A temporary identification card issued pursuant to this subparagraph

- shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year; (B) a temporary identification card issued pursuant to this subparagraph shall clearly indicate that it is temporary and shall state the date upon which it expires; (C) no temporary identification card issued pursuant to this subparagraph shall be for a longer period of time than the time period permitted by K.S.A. 8-1325, and amendments thereto; and (D) a temporary identification card issued pursuant to this subparagraph may be renewed, subject at the time of renewal, to the same requirements and conditions set forth in this subsection (c) for the issuance of the original temporary identification card.
- (d) The division shall not issue an identification card to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of subsection (e) of K.S.A. 8-1002, and amendments thereto.
- (e) The division shall refuse to issue an identification card to a person holding a driver's license or identification card issued by another state without confirmation that the person is terminating or has terminated the license or identification card.
- (f) The parent or guardian of an applicant under 16 years of age shall sign the application for an identification card submitted by such applicant.
- (g) (1) The division shall require payment of a fee of \$14 at the time application for an identification card is made, except that persons who are 65 or more years of age or who are handicapped, as defined in K.S.A. 8-1,124, and amendments thereto, shall be required to pay a fee of only \$10. In addition to the fees prescribed by this subsection, the division shall require payment of the photo fee established pursuant to K.S.A. 8-243, and amendments thereto, for the cost of the photograph to be placed on the

identification card.

- (2) The division shall not require or accept payment of application or photo fees under this subsection for any person 17 years of age or older for purposes of meeting the voter identification requirements of K.S.A. 25-2908, and amendments thereto. Such person shall:
- (A) Swear under oath that such person desires an identification card in order to vote in an election in Kansas and that such person does not possess any of the forms of identification acceptable under K.S.A. 25-2908, and amendments thereto. The affidavit shall specifically list the acceptable forms of identification under K.S.A. 25-2908, and amendments thereto; and
- (B) produce evidence that such person is registered to vote in Kansas.
- (3) The secretary of revenue shall adopt rules and regulations in order to implement the provisions of paragraph (2).
- (h) All Kansas identification cards shall have physical security features designed to prevent tampering, counterfeiting or duplication for fraudulent purposes.
- (i) For the purposes of K.S.A. 8-1324 through 8-1328, and amendments thereto, a person shall be deemed to be a resident of the state if:
- (1) The person owns, leases or rents a place of domicile in this state;
- (2) the person engages in a trade, business or profession in this state;
- (3) the person is registered to vote in this state;
- (4) the person enrolls the person's child in a school in this state; or
- (5) the person registers the person's motor vehicle in this state.
- (j) The division shall require that any person applying for an identification card submit to a mandatory facial image capture.
- (k) The director of vehicles may issue a temporary identification card to an applicant who cannot provide valid documentary evidence as defined by subsection (c), if the applicant provides compelling evidence proving current lawful presence. Any temporary identification card issued pursuant to this subparagraph shall be valid for one year.

(l) Upon payment of the required fee, the division shall issue to every applicant qualifying under the provisions of this act an identification card. Such identification card shall bear a distinguishing number assigned to the cardholder, the full legal name, date of birth, address of principal residence, a brief description of the cardholder, a colored digital photograph of the cardholder, and a facsimile of the signature of the cardholder. An identification card which does not contain the address of principal residence of the cardholder as required may be issued to persons who are program participants pursuant to K.S.A. 2011 Supp. 75-455, and amendments thereto.

History: L. 1973, ch. 31, § 1; L. 1983, ch. 39, § 1; L. 1986, ch. 36, § 12; L. 1990, ch. 42, § 4; L. 2000, ch. 179, § 15; L. 2003, ch. 5, § 3; L. 2003, ch. 158, § 2; L. 2004, ch. 155, § 3; L. 2007, ch. 160, § 10; L. 2008, ch. 138, § 3; L. 2011, ch. 56, § 1; L. 2011, ch. 112, § 6; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2003, ch. 63, §4, but that version was repealed by L. 2003, ch. 158, §11.

- 25-1122. Advance voting; ballot application identification requirements; provisional ballots; time for filing application; satellite advance voting sites; voters needing assistance; permanent advance voting status; records maintained by county election officer; rules and regulations. (a) Any registered voter may file with the county election officer where such person is a resident, or where such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.
- (b) If the registered voter is applying for an advance voting ballot to be transmitted in person, such voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.
 - (c) If the registered voter is applying for

an advance voting ballot to be transmitted by mail, such voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

- (d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:
- (1) The voter is unable or refuses to provide current and valid identification; or
- (2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.
- (e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:
- (1) The county election official verifies that the signature of the person matches that on file in the county voter registration records. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide such person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith

that can be verified; and

- (2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of such person cannot be verified by the county election officer, the county election officer shall provide information to such person regarding the voter rights provisions of subsection (d) and shall provide such person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use [of] a photocopying device to make one photocopy of an identification document at no cost.
- (f) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:
- (1) For the primary election occurring on the first Tuesday in August in even-numbered years, between April 1 of such year and the last business day of the week preceding such primary election.
- (2) For the general election occurring on the Tuesday succeeding the first Monday in November in even-numbered years, between 90 days prior to such election and the last business day of the week preceding such general election.
- (3) For the primary election held five weeks preceding the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such primary election.
- (4) For the general election occurring on the first Tuesday in April, between January 1 of the year of such election and the last business day of the week preceding such general election.
 - (5) For question submitted elections

occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

- (6) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the last business day of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the county election officer shall determine the final date for mailing of advance voting ballots, but such date shall not be more than three business days before such election.
- (7) For any special election of officers, at such time as is specified by the secretary of state.
- (8) For the presidential preference primary, between January 1 of the year in which such primary is held and the last business day of the week preceding such primary election. The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.
- (g) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12:00 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act. An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until

- the close of the polls on election day. The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Such ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.
- (h) Any person having a permanent disability or an illness which has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information which establishes the voter's right to permanent advance voting status.
- (i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which such persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Such names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of such applications shall enter upon a record kept by such officer the name and address of each applicant. which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make such inspection shall provide to the county election officer identification in the form of driver's license or other reliable identifica-

tion and shall sign a log book or application form maintained by such officer stating such person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

- (j) If a person on the permanent advance voting list fails to vote in two consecutive general elections held on the Tuesday succeeding the first Monday in November of each evennumbered year, the county election officer may mail a notice to such voter. Such notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.
- (k) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

History: L. 1967, ch. 208, § 9; L. 1968, ch. 406, § 144; L. 1972, ch. 134, § 4; L. 1973, ch. 154, § 2; L. 1976, ch. 183, § 1; L. 1978, ch. 140, § 4; L. 1978, ch. 142, § 1; L. 1980, ch. 110, § 1; L. 1981, ch. 168, § 1; L. 1983, ch. 123, § 3; L. 1984, ch. 140, § 1; L. 1995, ch. 192, § 20; L. 1996, ch. 187, § 24; L. 1997, ch. 124, § 1; L. 1999, ch. 105, § 12; L. 2000, ch. 151, § 1; L. 2001, ch. 81, § 9; L. 2001, ch. 211, § 5; L. 2004, ch. 93, § 1; L. 2008, ch. 3, § 1; L. 2011, ch. 56, § 2; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2001, ch. 128 § 4, but that version was repealed by L. 2001, ch. 211, § 18.

Section was also amended by L. 2004, ch.

25, § 4, but that version was repealed by L. 2004, ch. 93, § 13.

Sec 3.

25-1122d. Advance voting; application for ballot, form; identification, form of; rules and regulations. (a) The application for an advance voting ballot to be transmitted by mail shall be accompanied by an affirmation in substance as follows:

Affirmation of an Elector of the County of

	and State of Kansas Desiring
to Vote an Advan	ce Voting Ballot
State of	, County of
	, SS:
Ι,	
(D1	
(Please print nam	le)
do solemnly affir	m under penalty of perjury
	ied elector of the pre-
cinct of the	ward, residing at number
	street, city of
	the township of,
	, and state of Kansas. My
date of birth is	(month/day/year).

I understand that a current and valid Kansas driver's license number or Kansas nondriver's identification card number must be provided in order to receive a ballot. If I do not have a current and valid Kansas driver's license number or Kansas nondriver's identification card number, I must provide one of the following forms of identification with this application in order to receive a ballot:

A copy of any one of the following types of photographic identification: A driver's license issued by Kansas or by another state or district of the United States, a state identification card issued by Kansas or by another state or district of the United States, a concealed carry of handgun license issued by Kansas or a concealed carry of handgun or weapon license

States, a United States passport, an employee badge or identification document issued by a municipal, county, state, or federal government office or agency, a military identification document issued by the United States, a student identification card issued by an accredited post secondary institution of education in the state of Kansas, or a public assistance identification card issued by a municipal, county, state, or federal government office or agency.
I am entitled to vote an advance voting ballot and I have not voted and will not otherwise vote at the election to be held on
(date). My political party is (to be filled in only when requesting primary election ballots). I desire my ballots to be sent to the following address:
Signature of voter.
Note: False statement on this affirmation is a severity level 9, nonperson felony.
(b) The application for an advance voting ballot to be transmitted in person shall be accompanied by an affirmation in substance as follows:
Affirmation of an Elector of the County of and State of Kansas
Desiring to Vote an Advance Voting Ballot
State of, County of, ss:
I,
(Please print name)
do solemnly affirm under penalty of perjury that I am a qualified elector of the precinct of the ward, residing at number on street, city of, or in the township of,

issued by another state or district of the United

county of	, and state of Ka	ansas. My
date of birth is _	(mont	h/day/year).
and I have not v	vote an advance vo roted and will not o ion to be held on _	_
(date). My polit	ical party is	(to
be filled in only tion ballots).	when requesting p	orimary elec-
	Signa	ature of vote

Note: False statement on this affirmation is a severity level 9, nonperson felony.

- (c) An application for permanent advance voting status shall be on a form prescribed by the secretary of state for this purpose. Such application shall contain an affirmation concerning substantially the same information required in subsection (a) and in addition thereto a statement regarding the permanent character of such illness or disability.
- (d) Any application by a former precinct resident shall state both the former and present residence, address, precinct and county of such former precinct resident and the date of change of residence.
- (e) The secretary of state may adopt rules and regulations in order to implement the provisions of this section.

History: L. 1978, ch. 140, § 5; L. 1980, ch. 109, § 2; L. 1984, ch. 140, § 2; L. 1995, ch. 192, § 21; L. 1996, ch. 187, § 26; L. 2000, ch. 49, § 2; L. 2004, ch. 93, § 2; L. 2011, ch. 56, § 3; L. 2011, ch. 112, § 7; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2004, ch. 25, § 5, but that version was repealed by L. 2004, ch. 93, § 13.

25-1123. Advance voting; transmission of ballots; duties of election officer. (a) When an application for an advance voting ballot has been filed in accordance with K.S.A. 25-1122,

and amendments thereto, the county election officer shall transmit to the voter applying therefor one each of the appropriate ballots. Unless an advance voting ballot is transmitted in person pursuant to this subsection, the county election officer shall transmit the advance voting ballots to the voter at one of the following addresses as specified by the voter on such application: (1) The voter's residential address or mailing address as indicated on the registration list; (2) the voter's temporary residential address: or (3) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, psychiatric hospital, hospice or adult care home where the voter resides. No advance voting ballot shall be transmitted by the county election officer by any means prior to the 20th day before the election for which an application for an advance voting ballot has been received by such county election officer. If the advance voting ballot is transmitted by mail, such ballot shall be transmitted with printed instructions prescribed by the secretary of state and a ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot. If the advance voting ballot is transmitted to the applicant in person in the office of the county election officer or at a satellite advance voting site, such advance voting ballot and printed instructions shall be transmitted in an advance voting ballot envelope bearing upon the outside a printed form as described in K.S.A. 25-1120, and amendments thereto, and the same number as the number of the ballot unless the voter elects to deposit the advance voting ballot into a locked ballot box without an envelope. All ballots shall be transmitted to the advance voting voter not more than 20 days before the election but within two business days of the receipt of such voter's application by the election officer or the commencement of such 20-day period. In primary elections required to be conducted on a partisan basis, the election officer shall deliver to such voter the ballot of the political party of the applicant.

(b) The restrictions in subsection (a) relating to where a county election officer may

transmit an advance voting ballot shall not apply to an advance voting ballot requested pursuant to an application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language.

(c) The county election officer shall compare the driver's license number, nondriver's identification card number or copy of other valid identification provided by a voter to the voter registration list verified by the division of vehicles in accordance with federal law. If no identification information was provided by the voter or if such information does not match the information on the voter registration list, the county election officer shall transmit a provisional advance voting ballot.

History: L. 1967, ch. 208, § 10; L. 1972, ch. 134, § 5; L. 1973, ch. 154, §3; L. 1975, ch. 210, § 1; L. 1978, ch. 140, § 6; L. 1984, ch. 140, § 3; L. 1995, ch. 192, § 22; L. 1996, ch. 187, § 27; L. 1997, ch. 124, § 2; L. 1999, ch. 105, § 13; L. 2004, ch. 93, § 3; L. 2011, ch. 56, § 4; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2004, ch. 25, § 6, but that version was repealed by L. 2004, ch. 93, § 13.

Sec 5.

25-1124. Advance voting; marking and mailing or depositing ballots; unlawful acts and penalties. (a) Upon receipt of the advance voting ballot, the voter shall cast such voter's vote as follows: The voter shall make a cross or check mark in the square or parentheses opposite the name of each candidate or question for whom the voter desires to vote. The voter shall make no other mark, and shall allow no other person to make any mark, upon such ballot. If the advance voting ballot was transmitted by mail, the voter personally shall place the ballot in the ballot envelope bearing the same number as the ballot and seal the envelope. The voter shall complete the form on the ballot envelope and shall sign the same. Except as provided by K.S.A. 25-2908, and amendments thereto, the

ballot envelope shall be mailed or otherwise transmitted to the county election officer. If the advance voting ballot was transmitted to the voter in person in the office of the county election officer or at a satellite advance voting site, the voter may deposit such ballot into a locked ballot box without an envelope.

- (b) Any voter who has an illness or physical disability or who is not proficient in reading the English language that is unable to apply for or mark or transmit an advance voting ballot, may request assistance by a person who has signed a statement required by subsection (d) in applying for or marking an advance voting ballot.
- (c) Any voted ballot may be transmitted to the county election officer by the voter or by another person designated in writing by the voter. Any such voted ballot shall be transmitted to the county election officer before the close of the polls on election day.
- (d) The county election officer shall allow a person to assist a voter who has an illness or physical disability or who is not proficient in reading the English language in applying for or marking an application or advance voting ballot, provided a written statement is signed by the person who renders assistance to the voter who has an illness or physical disability or who is not proficient in reading the English language and such statement is submitted to the county election officer with the application or ballot. The statement shall be on a form prescribed by the secretary of state and shall contain a statement from the person providing assistance that the person has not exercised undue influence on the voting decision of the voter who has an illness or physical disability or who is not proficient in reading the English language and that the person providing assistance has completed the application or marked the ballot as instructed by the voter.
- (e) Any person assisting a voter who has an illness or physical disability or who is not proficient in reading the English language in applying for or marking an advance voting ballot who knowingly fails to sign and submit the statement required by this section or who exercises undue influence on the voting decision of

such voter shall be guilty of a severity level 9, nonperson felony.

History: L. 1967, ch. 208, § 11; L. 1972, ch. 134, § 6; L. 1973, ch. 155, § 1; L. 1978, ch. 137, § 9; L. 1984, ch. 141, § 1; L. 1990, ch. 124, § 1; L. 1995, ch. 192, § 23; L. 1996, ch. 187, § 28; L. 1997, ch. 124, § 3; L. 1999, ch. 105, § 14; L. 2001, ch. 81, § 10; L. 2011, ch. 56, § 5; Jan. 1, 2012.

- **25-1128.** Advance voting; unlawful acts and penalties; return of ballots to county election officer. (a) No voter shall knowingly mark or transmit to the county election officer more than one advance voting ballot, or set of one of each kind of ballot, if the voter is entitled to vote more than one such ballot at a particular election.
- (b) Except as provided in K.S.A. 25-1124, and amendments thereto, no person shall knowingly interfere with or delay the transmission of any advance voting ballot application from a voter to the county election officer, nor shall any person mail, fax or otherwise cause the application to be sent to a place other than the county election office. Any person or group engaged in the distribution of advance voting ballot applications shall mail, fax or otherwise deliver any application signed by a voter to the county election office within two days after such application is signed by the applicant.
- (c) Except as otherwise provided by law, no person other than the voter, shall knowingly mark, sign or transmit to the county election officer any advance voting ballot or advance voting ballot envelope.
- (d) Except as otherwise provided by law, no person shall knowingly sign an application for an advance voting ballot for another person. This provision shall not apply if a voter has a disability preventing the voter from signing an application or if an immediate family member signs an application on behalf of another immediate family member with proper authorization being given.
- (e) No person, unless authorized by K.S.A. 25-1122 or K.S.A. 25-1124, and amendments thereto, shall knowingly intercept, inter-

fere with, or delay the transmission of advance voting ballots from the county election officer to the voter.

- (f) No person shall knowingly and falsely affirm, declare or subscribe to any material fact in an affirmation form for an advance voting ballot or set of advance voting ballots.
- (g) A voter may return such voter's advance voting ballot to the county election officer by personal delivery or by mail. Upon written designation by the voter, a person other than the voter may return the advance voting ballot by personal delivery or mail. Any such person designated by the voter shall sign a statement that such person has not exercised undue influence on the voting decisions of the voter and agrees to deliver the ballot as directed by the voter.
- (h) Violation of any provision of this section is a class C misdemeanor.

History: L. 1967, ch. 208, § 15; L. 1978, ch. 140, § 7; L. 1980, ch. 110, § 3; L. 1995, ch. 192, § 31; L. 1997, ch. 124, § 4; L. 2000, ch. 151, § 2; L. 2001, ch. 125, § 4; L. 2011, ch. 56, § 6; Jan. 1, 2012.

25-2203. State election board; membership; duties; rules and regulations. (a) There is hereby established the state election board, the members of which shall be the lieutenant governor, the secretary of state and the attorney general. The state election board shall meet on the call of the secretary of state.

- (b) The state election board shall:
- (1) Adopt rules and regulations for determination of apportionment of election expenses among the subdivisions of government. Such rules and regulations shall identify and define the election expenses which are direct and those which are indirect, or shall define sufficient means of making determination thereof;
- (2) assess information provided by any applicant for voter registration as evidence of citizenship pursuant to K.S.A. 25-2309(m), and amendments thereto; and
- (3) make such additional rules and regulations as it deems advisable relating to payment of election expenses.

History: L. 1968, ch. 53, § 3; L. 1974, ch. 364, § 3; L. 2011, ch. 56, § 7; Jan. 1, 2012.

25-2309. Application for registration; registration agencies; limitations on public inspection of registrations; registration citizenship requirements; election board citizenship hearings; unsatisfactory evidence of citizenship; sworn affidavits; rules and regulations. (a) Any person may apply in person, by mail, through a voter registration agency, or by other delivery to a county election officer to be registered. Such application shall be made on: (1) A form approved by the secretary of state, which shall be provided by a county election officer or chief state election official upon request in person, by telephone or in writing; or (2) the national mail voter registration form issued pursuant to federal law. Such application shall be signed by the applicant under penalty of perjury and shall contain the original signature of the applicant or the computerized, electronic or digitized transmitted signature of the applicant. A signature may be made by mark, initials, typewriter, print, stamp, symbol or any other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

- (b) Applications made under this section shall give voter eligibility requirements and such information as is necessary to prevent duplicative voter registrations and enable the relevant election officer to assess the eligibility of the applicant and to administer voter registration, including, but not limited to, the following data to be kept by the relevant election officer as provided by law:
 - (1) Name;
- (2) place of residence, including specific address or location, and mailing address if the residence address is not a permissible postal address;
 - (3) date of birth;
 - (4) sex;
- (5) the last four digits of the person's social security number or the person's full

driver's license or nondriver's identification card number:

- (6) telephone number, if available;
- (7) naturalization data (if applicable);
- (8) if applicant has previously registered or voted elsewhere, residence at time of last registration or voting;
 - (9) when present residence established;
- (10) name under which applicant last registered or voted, if different from present name;
- (11) an attestation that the applicant meets each eligibility requirement;
- (12) a statement that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison;
- (13) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;
- (14) a statement that if an applicant does register to vote, the office to which a voter registration application is submitted will remain confidential and will be used only for voter registration purposes;
- (15) boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States, together with the question "Are you a citizen of the United States of America?";
- (16) boxes for the county election officer or chief state election official to check to indicate whether the applicant has provided with the application the information necessary to assess the eligibility of the applicant, including such applicant's United States citizenship;
- (17) boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day, together with the question "Will you be 18 years of age on or before election day?";
- (18) in reference to paragraphs (15) and (17) the statement "If you checked 'no' in response to either of these questions, do not complete this form.";
- (19) a statement that the applicant shall be required to provide identification when voting; and

(20) political party affiliation declaration, if any. An applicant's failure to make a declaration will result in the applicant being registered as an unaffiliated voter.

If the application discloses any previous registration in any other county or state, as indicated by paragraph (8) or (10), or otherwise, the county election officer shall upon the registration of the applicant, give notice to the election official of the place of former registration, notifying such official of applicant's present residence and registration, and authorizing cancellation of such former registration. This section shall be interpreted and applied in accordance with federal law. No eligible applicant whose qualifications have been assessed shall be denied registration.

- (c) Any person who applies for registration through a voter registration agency shall be provided with, in addition to the application under subsection (b), a form which includes:
- (1) The question "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";
- (2) a statement that if the applicant declines to register to vote, this decision will remain confidential and be used only for voter registration purposes;
- (3) a statement that if the applicant does register to vote, information regarding the office to which the application was submitted will remain confidential and be used only for voter registration purposes; and
- (4) if the agency provides public assistance, (i) the statement "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";
- (ii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote, together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";
- (iii) the statement "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out

the application form in private."; and

- (iv) the statement "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Kansas Secretary of State."
- (d) If any person, in writing, declines to register to vote, the voter registration agency shall maintain the form prescribed by subsection (c).
- (e) A voter registration agency shall transmit the completed registration application to the county election officer not later than five days after the date of acceptance. Upon receipt of an application for registration, the county election officer shall send, by nonforwardable mail, a notice of disposition of the application to the applicant at the postal delivery address shown on the application. If a notice of disposition is returned as undeliverable, a confirmation mailing prescribed by K.S.A. 25-2316c, and amendments thereto, shall occur.
- (f) If an application is received while registration is closed, such application shall be considered to have been received on the next following day during which registration is open.
- (g) A person who completes an application for voter registration shall be considered a registered voter when the county election officer adds the applicant's name to the county voter registration list.
- (h) Any registered voter whose residence address is not a permissible postal delivery address shall designate a postal address for registration records. When a county election officer has reason to believe that a voter's registration residence is not a permissible postal delivery address, the county election officer shall attempt to determine a proper mailing address for the voter.
- (i) Any registered voter may request that such person's residence address be concealed from public inspection on the voter registration list and on the original voter registration application form. Such request shall be made

- in writing to the county election officer, and shall specify a clearly unwarranted invasion of personal privacy or a threat to the voter's safety. Upon receipt of such a request, the county election officer shall take appropriate steps to ensure that such person's residence address is not publicly disclosed. Nothing in this subsection shall be construed as requiring or authorizing the secretary of state to include on the voter registration application form a space or other provision on the form that would allow the applicant to request that such applicant's residence address be concealed from public inspection.
- (j) No application for voter registration shall be made available for public inspection or copying unless the information required by paragraph (5) of subsection (b) has been removed or otherwise rendered unreadable.
- (k) If an applicant fails to answer the question prescribed in paragraph (15) of subsection (b), the county election officer shall send the application to the applicant at the postal delivery address given on the application, by nonforwardable mail, with a notice of incompleteness. The notice shall specify a period of time during which the applicant may complete the application in accordance with K.S.A. 25-2311, and amendments thereto, and be eligible to vote in the next election.
- (1) The county election officer or secretary of state's office shall accept any completed application for registration, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship. Evidence of United States citizenship as required in this section will be satisfied by presenting one of the documents listed in paragraphs (1) through (13) of subsection (l) in person at the time of filing the application for registration or by including a photocopy of one of the following documents with a mailed registration application. After a person has submitted satisfactory evidence of citizenship, the county election officer shall indicate this information in the person's permanent voter file. Evidence of United States citizenship shall be satisfied by providing one of the following, or a legible photocopy of one of the following documents:

- (1) The applicant's driver's license or nondriver's identification card issued by the division of vehicles or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver's license or nondriver's identification card that the person has provided satisfactory proof of United States citizenship;
- (2) the applicant's birth certificate that verifies United States citizenship to the satisfaction of the county election officer or secretary of state:
- (3) pertinent pages of the applicant's United States valid or expired passport identifying the applicant and the applicant's passport number, or presentation to the county election officer of the applicant's United States passport;
- (4) the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States bureau of citizenship and immigration services by the county election officer or the secretary of state, pursuant to 8 U.S.C. § 1373(c);
- (5) other documents or methods of proof of United States citizenship issued by the federal government pursuant to the immigration and nationality act of 1952, and amendments thereto;
- (6) the applicant's bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number;
- (7) the applicant's consular report of birth abroad of a citizen of the United States of America;
- (8) the applicant's certificate of citizenship issued by the United States citizenship and immigration services;
- (9) the applicant's certification of report of birth issued by the United States department of state;
- (10) the applicant's American Indian card, with KIC classification, issued by the United States department of homeland security;
- (11) the applicant's final adoption decree showing the applicant's name and United States

birthplace;

- (12) the applicant's official United States military record of service showing the applicant's place of birth in the United States; or
- (13) an extract from a United States hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the United States.
- (m) If an applicant is a United States citizen but does not have any of the documentation listed in this section as satisfactory evidence of United States citizenship, such applicant may submit any evidence that such applicant believes demonstrates the applicant's United States citizenship.
- (1) Any applicant seeking an assessment of evidence under this subsection may directly contact the elections division of the secretary of state by submitting a voter registration application or form as described by this section and any supporting evidence of United States citizenship. Upon receipt of this information, the secretary of state shall notify the state election board, as established under K.S.A. 25-2203, and amendments thereto, that such application is pending.
- (2) The state election board shall give the applicant an opportunity for a hearing and an opportunity to present any additional evidence to the state election board. Notice of such hearing shall be given to the applicant at least five days prior to the hearing date. An applicant shall have the opportunity to be represented by counsel at such hearing.
- (3) The state election board shall assess the evidence provided by the applicant to determine whether the applicant has provided satisfactory evidence of United States citizenship. A decision of the state election board shall be determined by a majority vote of the election board.
- (4) If an applicant submits an application and any supporting evidence prior to the close of registration for an election cycle, a determination by the state election board shall be issued at least five days before such election date.
- (5) If the state election board finds that the evidence presented by such applicant con-

stitutes satisfactory evidence of United States citizenship, such applicant will have met the requirements under this section to provide satisfactory evidence of United States citizenship.

- (6) If the state election board finds that the evidence presented by an applicant does not constitute satisfactory evidence of United States citizenship, such applicant shall have the right to appeal such determination by the state election board by instituting an action under 8 U.S.C. § 1503. Any negative assessment of an applicant's eligibility by the state election board shall be reversed if the applicant obtains a declaratory judgment pursuant to 8 U.S.C. § 1503, demonstrating that such applicant is a national of the United States.
- (n) Any person who is registered in this state on the effective date of this amendment to this section is deemed to have provided satisfactory evidence of citizenship and shall not be required to resubmit evidence of citizenship.
- (o) For purposes of this section, proof of voter registration from another state is not satisfactory evidence of United States citizenship.
- (p) A registered Kansas voter who moves from one residence to another within the state of Kansas or who modifies such voter's registration records for any other reason shall not be required to submit evidence of United States citizenship.
- (q) If evidence of citizenship is deemed to be unsatisfactory due to an inconsistency between the document submitted as evidence and the name or sex provided on the application for registration, such applicant may sign an affidavit:
- (1) Stating the inconsistency or inconsistencies related to the name or sex, and the reason therefor; and
- (2) swearing under oath that, despite the inconsistency, the applicant is the individual reflected in the document provided as evidence of citizenship. However, there shall be no inconsistency between the date of birth on the document provided as evidence of citizenship and the date of birth provided on the application for registration. If such an affidavit is submitted by the applicant, the county election officer or secretary of state shall assess the eligibility of the

applicant without regard to any inconsistency stated in the affidavit.

- (r) All documents submitted as evidence of citizenship shall be kept confidential by the county election officer or the secretary of state and maintained as provided by Kansas record retention laws. The provisions of this subsection shall expire on July 1, 2016, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2016.
- (s) The secretary of state may adopt rules and regulations to* in order to implement the provisions of this section.
- (t) Nothing in this section shall prohibit an applicant from providing, or the secretary of state or county election officer from obtaining satisfactory evidence of United States citizenship, as described in subsection (1), at a different time or in a different manner than an application for registration is provided, as long as the applicant's eligibility can be adequately assessed by the secretary of state or county election officer as required by this section.
- (u) The proof of citizenship requirements of this section shall not become effective until January 1, 2013.

History: L. 1968, ch. 55, § 9; L. 1972, ch. 141, § 3; L.1976, ch. 181, § 7; L. 1980, ch. 112, § 1; L. 1982, ch. 154, § 3; L. 1996, ch. 187, § 7; L. 1997, ch. 124, § 13; L. 1999, ch. 105, § 2; L. 2000, ch. 56, § 3; L. 2001, ch. 42, § 1; L. 2001, ch. 211, § 6; L. 2004, ch. 93, § 4; L. 2011, ch. 56, § 8; Jan. 1, 2012.

* The word "to" should have been stricken.

Revisor's Note:

Section was also amended by L. 2001, ch. 128, § 5, but that version was repealed by L. 2001, ch. 211, § 18.

Section was also amended by L. 2004, ch. 25, § 9, but that version was repealed by L. 2004, ch. 93, § 13.

25-2320. Copies of registration records; limitations on public inspection. (a) The county election officer shall allow access to

any person at any time during regular business hours, under supervision of the county election officer for the purpose of examining the voter registration books, active voter lists and other lists of voters required to be kept. Any person may make a written request for a copy of the registration books at any time except on any election day. The election officer is hereby directed to provide one or more copies which are accurate insofar as practicable of such books to the person so requesting. The election officer shall provide such copies to the person within 10 days following the request if so requested. The expense of making such copies shall be paid by the person requesting them. The cost of copies shall be established by the county election officer at a price which is not more than the actual cost and shall be set uniformly in order that the price therefor shall be the same for all persons requesting identical copies.

(b) No voter registration record shall be made available for public inspection or copying unless the individual's social security number, driver's license number, nondriver's identification card number or any part thereof, has been removed or otherwise been rendered unreadable.

History: L. 1968, ch. 55, § 20; L. 1977, ch. 139, § 1; L. 1987, ch. 127, § 1; L. 2001, ch. 42, § 2; L. 2001, ch. 211, § 7; L. 2011, ch. 56, § 9; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2001, ch. 128, § 12, but that version was repealed by L. 2001, ch. 211, § 18.

25-2352. Registration of voters as part of application for driver's license or nondriver identification card; motor vehicle record information transfers; rules and regulations. (a) (1) Each Kansas division of motor vehicles driver's license application and nondriver identification card application (including any renewal application) submitted to a division of motor vehicles office in Kansas shall serve as an application for voter registration unless the applicant fails to sign the voter registra-

tion application. An individual who completes the application for voter registration and is otherwise eligible shall be registered to vote in accordance with the information supplied by the individual.

- (2) An application for voter registration submitted under subsection (a)(1) shall be considered as updating any previous voter registration by the applicant.
- (b) The voter registration section of the application:
- (1) May require a second signature or other information that duplicates, or is in addition to, information in the driver's license or nondriver's identification card section of the application to prevent duplicate voter registrations, and to enable Kansas election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;
- (2) shall include a statement that specifies each eligibility requirement for voting, contains an attestation that the applicant meets each such requirement, including citizenship, and requires the signature of the applicant, under penalty of perjury;
- (3) shall include a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes;
- (4) shall include a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes;
- (5) shall be made available by the division of vehicles (as submitted by the applicant, or in machine-readable or other format) to the secretary of state and county election officers, as provided by rules and regulations adopted by the secretary of state; and
- (6) shall be transmitted to the county election officer not later than five days after the date of acceptance.
- (c) The motor vehicle driver's license and nondriver identification card form used for change of residence address shall also serve as a notification of change of residence address

for voter registration for elections, unless the registrant states on the form that the change is not for voter registration purposes.

- (d) The voter registration portion of the motor vehicle driver's license and nondriver identification card applications and change of address forms used shall be subject to approval by the secretary of state for purposes of voter registration under this section.
- (e) Following the line fixed for the signature of the applicant on the application for voter registration, a statement shall be printed stating that the penalty for submission of a false voter registration application is a maximum presumptive sentence of 17 months in prison.
- (f) The department of revenue or an employee of the department of revenue acting within the scope of the employee's employment shall not be liable for any damages resulting from any claim based on the department of revenue's transfer of any motor vehicle record information to the secretary of state that is required or permitted by law.
- (g) The secretary of state is hereby authorized to adopt such rules and regulations in the manner prescribed by law as may be necessary for the administration of the provisions of this section.

History: L. 1993, ch. 140, § 1; L. 1996, ch. 187, § 14; L. 2011, ch. 56, § 10; Jan. 1, 2012.

25-2357. Advance notice of identification requirements. The secretary of state shall provide advance notice of the personal identification requirements of this act in a manner calculated to inform the public generally of the requirements for forms of personal identification as provided in this act. Such advance notice shall include, at a minimum, the use of advertisements and public service announcements in print, broadcast television, radio and cable television media, as well as the posting of information on the opening pages of the official internet websites of the secretary of state and governor.

History: L. 2011, ch. 56, § 14; Jan. 1, 2012. **25-2358. Birth certificate applications for**

voter registration purposes, county assistance provided; transmittal of forms. The boards of county commissioners shall designate a county office or department to provide assistance at no charge to any person applying for a birth certificate from the state registrar of vital statistics for the purpose of registering to vote. Such county departments shall transmit the necessary forms to the state registrar's office at no cost to the person applying for the birth certificate.

History: L. 2011, ch. 56, § 15; Jan. 1, 2012.

25-2359. Severability. If any provision of this act is held to be unconstitutional under the United States or Kansas constitutions, that provision shall be severed from the act, and the other provisions of this act shall remain valid and in effect.

History: L. 2011, ch. 56, § 20; Jan. 1, 2012.

Revisor's Note:

"This act" means chapter 56 of the 2011 Session Laws of Kansas.

25-2908. Use of registration book and poll book or registration book at polling place; election board members, duties; name of voter not in book; rules and regulations; valid forms of voter identification; provisional ballots; identification requirements; exempt persons. (a) Each polling place shall use either: (1) A registration book and a poll book, as defined in K.S.A. 25-2507(a) and K.S.A. 25-2507(b)(1), and amendments thereto; or (2) a registration book, as defined in K.S.A. 25-2507(b)(2), and amendments thereto. The county election officer shall determine which books are used in each county, and which book voters shall sign.

(b) A person desiring to vote shall provide to the election board: (1) The voter's name; (2) if required, the voter's address; (3) the voter's signature on the registration or poll book; and (4) a valid form of identification listed in subsection (h). A signature may be made by mark, initials, typewriter, print, stamp, symbol or any

other manner if by placing the signature on the document the person intends the signature to be binding. A signature may be made by another person at the voter's direction if the signature reflects such voter's intention.

- (c) A member of the election board shall:
- (1) Announce the voter's name in a loud and distinct tone of voice, and, if the name is in the registration books, the member of the election board having the registration record shall repeat the name;
- (2) request the voter's signature on the registration or poll book;
- (3) provide the required signature at the request of and on behalf of any voter who is unable to personally affix a signature by reason of temporary illness or disability, or lack of proficiency in reading the English language;
- (4) request a valid form of identification from the voter. If the member of the election board is satisfied that the voter is the person depicted in the identification and that the identification provided is one of the valid forms of identification listed in subsection (h), the member of the election board shall place such member's initials in the space provided and allow the voter to vote;
- (5) give the voter one ballot, on the upper right-hand corner of which shall be written the number corresponding to the voter's number in the registration book or poll book; and
- (6) mark the voter's name in the registration book and party affiliation list.
- (d) If a voter is unable or refuses to provide current and valid identification, the voter may vote a provisional ballot pursuant to K.S.A. 25-409, and amendments thereto. If the voter's name and address do not match the voter's name and address on the registration book or poll book, the voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto. The voter shall provide a valid form of identification as defined in subsection (h) of this section to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identifi-

- cation received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.
- (e) If the name of any person desiring to vote at an election is not in the registration books, an election board member shall print the name and address of the person appearing to vote in the registration book or poll book. The person appearing to vote shall add such person's signature to the registration book or poll book beside such person's printed name, as listed in the registration book or poll book, and the election board judge shall challenge such person's vote pursuant to K.S.A. 25-414, and amendments thereto. During the pendency of a challenge other voters shall be given ballots and be permitted to vote.
- (f) A voter who has received an advance voting ballot may vote a provisional ballot on election day at the precinct polling place where the voter resides. If the voter returns the advance voting ballot to a judge or clerk at the precinct polling place, the judge or clerk shall void such advance voting ballot. Any such provisional ballot shall be counted only if the county board of canvassers determines that the provisional ballot was properly cast and the voter has not otherwise voted at such election.
- (g) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and define valid forms of identification with greater specificity, however the requirement that a voter must provide a form of identification that complies with the subsection (h) may not be altered.
- (h) (1) The following forms of identification shall be valid if the identification contains the name and photograph of the voter and has not expired. Expired documents shall be valid if the bearer of the document is 65 years of age or older:
- (A) A driver's license issued by Kansas or by another state or district of the United States;
- (B) a state identification card issued by Kansas or by another state or district of the United States;
 - (C) a concealed carry of handgun license

issued by Kansas or a concealed carry of handgun or weapon license issued by another state or district of the United States;

- (D) a United States passport;
- (E) an employee badge or identification document issued by a municipal, county, state, or federal government office or agency;
- (F) a military identification document issued by the United States;
- (G) a student identification card issued by an accredited postsecondary institution of education in the state of Kansas; or
- (H) a public assistance identification card issued by a municipal, county, state, or federal government office or agency.
- (2) If the person fails to furnish the identification required by this subsection, the person shall be allowed to vote a provisional ballot. The canvassing board shall determine the validity of the ballot pursuant to K.S.A. 25-3002, and amendments thereto.
- (i) The following persons are exempt from the photographic identification document requirements of this section:
- (1) Persons with a permanent physical disability that makes it impossible for such persons to travel to a county or state office to obtain a qualifying form of identification and have qualified for permanent advance voting status under K.S.A. 25-1124, and amendments thereto;
- (2) members of the uniformed service on active duty who, by reason of such active duty, are absent from the county on election day;
- (3) members of the merchant marine who, by reason of service in the merchant marine, are absent from the county on election day;
- (4) the spouse or dependent of a member referred to in paragraph (2) or (3), who, by reason of the active duty or service of the member, is absent from the county on election day; and
- (5) any voter whose religious beliefs prohibit photographic identification. Any person seeking an exemption under this provision must complete and transmit a declaration concerning such religious beliefs to the county election officer or the Kansas secretary of state. The declaration form shall be available on the official website of the Kansas secretary of state.

History: L. 1893, ch. 78, § 21; L. 1897, ch. 129, § 21; L. 1901, ch. 177, §9; R.S. 1923, 25-415; L. 1968, ch. 406, § 101; L. 1982, ch. 155, § 2; L. 1994, ch. 190, § 2; L. 1997, ch. 124, § 6; L. 2003, ch. 112, § 2; L. 2004, ch. 93, § 6; L. 2011, ch. 56, § 11; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2004, ch. 25, § 13, but that version was repealed by L. 2004, ch. 93, § 13.

25-3002. Rules for canvassers; validity of ballots or parts thereof. (a) The rules prescribed in this section shall apply to:

- (1) The original canvass by election boards.
- (2) Intermediate and final canvasses by county boards of canvassers.
- (3) Final canvass by the state board of canvassers.
 - (4) All election contests.
- (5) All other officers canvassing or having a part in the canvass of any election.
 - (b) Rules for canvassers:
- (1) No ballot, or any portion thereof, shall be invalidated by any technical error unless it is impossible to determine the voter's intention. Determination of the voter's intention shall rest in the discretion of the board canvassing in the case of a canvass and in the election court in the case of an election contest.
- (2) The occurrences listed in this subpart (2) shall not invalidate the whole ballot but shall invalidate that portion, and that portion only, in which the occurrence appears. The votes on such portion of the ballot shall not be counted for any candidate listed or written in such portion, but the remainder of the votes in other portions of the ballot shall be counted. The occurrences to which this subpart (2) shall apply are:
- (A) Whenever a voting mark shall be made in the square at the left of the name of more than one candidate for the same office, except when the ballot instructs that more than one candidate is to be voted.
 - (B) Whenever a voting mark is placed in

the square at the left of a space where no candidate is listed.

- (3) When a registered voter has cast a provisional ballot intended for a precinct other than the precinct in which the voter resides but located within the same county, the canvassers shall count the votes for those offices or issues which are identical in both precincts. The canvassers shall not count the votes for those offices or issues which differ from the offices or issues appearing on the ballot used in the precinct in which the voter resides.
- (4) A write-in vote for those candidates for the offices of governor and lieutenant governor shall not be counted unless the pair of candidates have filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto, and:
- (A) Both candidates' names are written on the ballot; or
- (B) only the name of the candidate for governor is written on the ballot.
- (5) A write-in vote for those candidates for the offices of president and vice-president shall not be counted unless the pair of candidates have filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto, and:
- (A) Both candidates' names are written on the ballot; or
- (B) only the name of the candidate for president is written on the ballot.
- (6) A write-in vote for candidates for state offices elected on a statewide basis other than offices subject to paragraph (4) shall not be counted unless the candidate has filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto.
- (7) Any advance voting or mail ballot whose envelope containing the voter's written declaration is unsigned, shall be wholly void and no vote thereon shall be counted.
- (8) No ballot cast shall be counted if the voter fails to provide valid identification as defined by K.S.A. 25-2908, and amendments thereto.

History: L. 1968, ch. 406, § 31; L. 1975, ch. 204, § 9; L. 1976, ch. 189, § 2; L. 1991, ch.

100, § 4; L. 1992, ch. 291, § 9; L. 1993, ch. 287, § 11; L. 1995, ch. 192, § 47; L. 2003, ch. 112, § 3; L. 2004, ch. 93, § 8; L. 2011, ch. 56, § 12; Jan. 1, 2012.

Revisor's Note:

Section was also amended by L. 2004, ch. 25, § 14, but that version was repealed by L. 2004, ch. 93, § 13.

- 65-2418. Fees for copies and searches; disposition: exemptions; copies, abstracts or data furnished to national office of vital statistics. (a) (1) The secretary shall fix and charge by rules and regulations the fees to be paid for certified copies or abstracts of certificates or for search of the files for birth, death. fetal death, marriage or divorce records when no certified copy or abstract is made. Except as otherwise provided in this section, the secretary shall remit all moneys received by or for the secretary from fees, charges or penalties, under the uniform vital statistics act, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.
- (2) The secretary shall not charge any fee for a certified copy of a certificate or abstract or for a search of the files or records if the certificate, abstract or search is requested by a person who exhibits correspondence from the United States department of veterans affairs or the Kansas commission on veterans affairs which indicates that the person is applying for benefits from the United States department of veterans affairs and that such person needs the requested information to obtain such benefits. except that, for a second or subsequent certified copy of a certificate, abstract or search of the files requested by the person, the usual fee shall be charged. The secretary may provide by rules and regulations for exemptions from such fees.
- (3) The secretary shall not charge or accept any fee for a certified copy of a birth

certificate if the certificate is requested by any person who is 17 years of age or older for purposes of meeting the voter registration requirements of K.S.A. 25-2309, and amendments thereto. Such person shall swear under oath: (1) That such person plans to register to vote in Kansas; and (2) that such person does not possess any of the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(1), and amendments thereto. The affidavit shall specifically list the documents that constitute evidence of United States citizenship under K.S.A. 25-2309(1), and amendments thereto. The secretary shall adopt rules and regulations in order to implement the provisions of this subsection.

- (4) Upon receipt of any such remittance of a fee for a certified copy of a birth certificate or abstract, \$3 of each such fee for the first copy of a birth certificate or abstract and \$1 of each such fee for each additional copy of the same birth certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the permanent families account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto. The balance of the money received for a fee for a certified copy of a birth certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created under this act.
- (5) Upon receipt of any such remittance of a fee for a certified copy of a death certificate or abstract, \$4 of each such fee for the first certified copy of a death certificate or abstract and \$2 of each such fee for each additional copy of the same death certificate or abstract requested at the same time shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and

amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the district coroners fund created by K.S.A. 22a-245, and amendments thereto. The balance of the money received for a fee for a certified copy of a death certificate or abstract shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the civil registration and health statistics fee fund created by K.S.A. 2011 Supp. 65-2418e, and amendments thereto.

(b) Subject to K.S.A. 65-2415, and amendments thereto, the national office of vital statistics may be furnished copies or data it requires for national statistics. The state shall be reimbursed for the cost of furnishing the data. The data shall not be used for other than statistical purposes by the national office of vital statistics unless so authorized by the state registrar of vital statistics.

History: L. 1951, ch. 355, § 18; L. 1957, ch. 431, § 9; L. 1963, ch. 398, § 14; L. 1973, ch. 309, § 21; L. 1974, ch. 352, § 126; L. 1975, ch. 324, § 1; L. 1978, ch. 347, § 12; L. 1982, ch. 182, § 139; L. 1983, ch. 286, § 11; L. 1992, ch. 313, § 15; L. 1993, ch. 214, § 15; L. 1994, ch. 19, § 1; L. 2001, ch. 5, § 237; L. 2002, ch. 160, § 3; L. 2003, ch. 151, § 2; L. 2011, ch. 112, § 8; Jan. 1, 2012.

K.S.A. 25-208a, 25-2203, 25-2352 and 25-3203 and K.S.A. 2010 Supp. 8-1324, 25-1122, 25-1122d, 25-1123, 25-1124, 25-1128, 25-2309, 25-2320, 25-2908, 25-3002, 25-3104, 25-3107 and 65-2418 are hereby repealed.

This act shall take effect and be in force from and after January 1, 2012, and its publication in the statute book.



SAFE Act Administrative Regulations

Agency 7. Secretary of State

Article 23.—VOTER REGISTRATION

- 7-23-14. Assessing documents submitted as evidence of United States citizenship. (a) In assessing documents submitted as evidence of United States citizenship, each election officer shall consider the following factors: first name, middle name or initial, surname, date of birth, place of birth, and sex.
- (1) The first name and the middle name or initial, if provided, shall be consistent with the information provided on the person's application for voter registration. Hyphenated names shall be permitted if not inconsistent with the information provided on the person's application for voter registration.
- (2) If the name on the document is inconsistent with the applicant's name as it appears on the application for voter registration, the election officer shall perform the following:
- (A) Ask the applicant for a second, government-issued document confirming the voter's current name;
- (B) if the applicant is unable or unwilling to provide a second, government-issued document, allow the applicant to sign an affidavit pursuant to K.S.A. 25-2309(q) and amendments thereto, stating the inconsistency related to the applicant's name and swearing under oath that, despite the inconsistency, the applicant is the individual reflected in the document provided as evidence of citizenship; and
- (C) if the applicant is either unable or unwilling to provide a second, government-issued document and refuses to sign an affidavit, inform the applicant of the applicant's right to appeal to the state election board, pursuant to K.S.A. 25-2309(m) and amendments thereto.
- (3) The date of birth indicated on the document submitted as evidence of United States citizenship shall match the date of birth provided on the application for voter registration. If the dates of birth are inconsistent, the election

- officer shall inform the applicant of the applicant's right to appeal to the state election board, pursuant to K.S.A. 25-2309(m) and amendments thereto.
- (4) If the place of birth is indicated on the document submitted as proof of United States citizenship, the place of birth may be used to assess the applicant's status as a United States citizen. If the document does not contain a place of birth, this fact shall not result in an unsatisfactory assessment.
- (5) If the sex indicated on the document does not match the sex indicated on the application for the voter registration, the election officer shall perform the following:
- (A) Ask the applicant for a second, government-issued document confirming the voter's sex;
- (B) if the applicant is unable or unwilling to provide a second, government-issued document, allow the applicant to sign an affidavit pursuant to K.S.A. 25-2309(q) and amendments thereto, stating the inconsistency related to the applicant's sex and swearing under oath that, despite the inconsistency, the applicant is the individual reflected in the document provided as evidence of citizenship; and
- (C) if the applicant is unable or unwilling to provide a second, government-issued document and refuses to sign an affidavit, inform the applicant of the applicant's right to appeal to the state election board, pursuant to K.S.A. 25-2309(m) and amendments thereto.
- (6) If a document submitted as evidence of United States citizenship contains an expiration date and this date has passed when the document is submitted for purposes of voter registration, the document shall nonetheless be considered in assessing qualifications to register to vote.
- (b) If an applicant for voter registration fails to submit evidence of United States citizenship before the deadline to register to vote before an election, the applicant may submit a valid citizenship document by mail or personal de-

livery to the county election office by the close of business on the day before the election or a valid citizenship document by electronic means before midnight on the day before the election. "Electronic means" shall include facsimile, electronic mail, and any other electronic means approved by the secretary of state. For each document received in accordance with this subsection, the county election officer shall perform the following:

- (1) Accept and assess the citizenship document:
- (2) add the applicant's name to the voter registration list as a registered voter; and
- (3) if practicable, include the registrant's name in the poll book for the upcoming election. If poll books have already been printed, the county election officer shall, if practicable, communicate the registrant's name to the appropriate polling place with instructions to allow the registrant to vote a regular ballot. If the registrant's name is not communicated to the election board at the appropriate polling place by the county election officer before the opening of the polls on election day, the registrant shall be allowed to cast a provisional ballot. If any applicant to whom this subsection applies fails to submit satisfactory evidence of United States citizenship in accordance with this subsection and the applicant casts a provisional ballot, the ballot shall not be counted.
- (c) If any registered voter is removed from the voter registration list for any reason consistent with federal or state law and the person submits a new application for voter registration, the person's evidence of United States citizenship shall be assessed.
- (d) Each person who meets all of the following conditions shall submit evidence of United States citizenship:
- (1) The person was registered to vote before January 1, 2013 and was therefore deemed to have provided satisfactory evidence of United States citizenship pursuant to K.S.A. 25-2309(n), and amendments thereto.
- (2) The person has been removed from the voter registration list for any reason in accordance with federal or state law.
 - (3) The person submits a new application

for voter registration. This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 2010 Supp. 25-2309, as amended by L. 2011, ch. 56, sec. 8; effective

Jan. 1, 2013.)

Article 36.—ABSENTEE AND ADVANCE VOTING

- **7-36-7. Processing advance voting ballot applications.** This regulation shall govern the processing of each application for an advance voting ballot received by a county election officer if the applicant is registered to vote in that election officer's county and wants to receive the ballot by mail.
- (a) If the application does not contain sufficient information or if the information is illegible, the county election officer shall contact the applicant to obtain the information before election day, if practicable.
- (b) If the application is not signed or the signature on the application is not consistent with the applicant's signature on the official voter registration list, the election officer shall attempt to contact the applicant by any means to confirm that the applicant intended to apply for an advance voting ballot and shall attempt to obtain an updated signature.
- (c) If the application does not contain the number of the applicant's Kansas driver's license or Kansas nondriver's identification card or if the number is illegible, the county election officer shall attempt to contact the applicant by any means to obtain the information. The county election officer shall provide the applicant with the information required by K.S.A. 25-1122(e)(2), and amendments thereto.
- (d) The county election officer may collect an applicant's Kansas driver's license number or Kansas nondriver's identification card number by any legal means. If the applicant provides the necessary number and the number is consistent with the number on the voter registration list, the county election officer shall issue a regular advance voting ballot.
- (e) If an applicant submits a photocopy of the qualifying photographic identification docu-

ment and the document contains information that is illegible or inconsistent with the information on the voter registration list, the county election officer shall attempt to contact the applicant by any means to confirm that the applicant intended to apply for an advance voting ballot and shall attempt to obtain a satisfactory photocopy of the qualifying photographic identification document.

- (f) If it is not practicable to contact the applicant before the election or if the information, signature, or photocopy provided is incomplete or inconsistent with the voter registration list, the county election officer shall issue a provisional advance voting ballot.
- (g) The county election officer shall present each provisional advance voting ballot to the county board of canvassers for a determination of validity. If the voter provided additional information, an updated signature, or an additional photocopy upon request by the county election officer and if the information, signature, or photocopy is consistent with the voter registration list, the ballot shall be counted unless the ballot is determined to be invalid for another reason. If the voter did not provide additional information, an updated signature, or an additional photocopy upon request by the county election officer or if the information, signature, or photocopy is inconsistent with the information on the voter registration list, the ballot shall not be counted. (Authorized by and implementing K.S.A. 2010 Supp. 25-1122, as amended by L. 2011, ch. 56, sec. 2; effective Feb. 24, 2012.)

7-36-8. Uniformed and overseas citizens absentee voting act; ballot distribution deadline in local mail ballot elections. When conducting a local mail ballot election pursuant to K.S.A. 25-431 et seq. and amendments thereto, the county election officer shall transmit a ballot to any person who is qualified to vote under the uniformed and overseas citizens absentee voting act and who has submitted an application for a federal services ballot 45 or more days before the date of the election. If a person submits an application for a federal services ballot less than 45 days before the

date of the election, the county election officer shall transmit a ballot to the person within two business days after receipt of the application. (Authorized by K.S.A. 25-440 and 25-1225; implementing K.S.A. 25-435, K.S.A. 25-438, and K.S.A. 2011 Supp. 25- 1218; effective Feb. 24, 2012.)

Article 46.—PHOTOGRAPHIC IDENTIFI-CATION REQUIREMENTS

7-46-1. Postelection submission of photographic identification by provisional voter. (a) Any voter who has cast a provisional ballot due to a failure or refusal to provide a valid photographic identification document at the time of voting may submit a valid photographic identification document by mail, in person, or by electronic means to the county election office in the county where the voter is registered to vote. "Electronic means" shall include facsimile, electronic mail, and any other electronic

means approved by the secretary of state.

(b) If the voter submits a valid photographic identification document to the county election office before the county board of canvassers convenes, the county election officer shall present the document to the board of canvassers to determine the validity of the provisional ballot. If the board of canvassers determines the photographic identification document to be valid and the provisional ballot is not determined to be invalid for any other reason, the ballot shall be counted. (Authorized by and implementing K.S.A. 2010 Supp. 25-1122, as amended by L. 2011, ch. 56, sec. 2, and K.S.A. 2010 Supp. 25-2908, as amended by L. 2011, ch. 56, sec. 11; effective Feb. 24, 2012.)

7-46-2. Election board worker assessment of validity of photographic identification documents. (a) Each election board worker to whom a photographic identification document is presented by a voter shall assess the sufficiency and validity of that document as follows:

- (1) The election board worker shall perform the following:
- (A) Verify that the name on the photographic identification document is consistent with the

name on the poll book;

- (B) allow for abbreviations and nicknames, including "Wm." or "Bill" for "William";
- (C) if the name of the voter is consistent with the name in the poll book, proceed to paragraph (a)(2); and
- (D) if the voter's name is different from the name in the poll book or the name as stated by the voter due to marriage, divorce, hyphenation, or legal action, issue the voter a provisional ballot on the condition that the voter first completes an application for voter registration.
- (2) The election board worker shall compare the photograph to the voter to determine whether the voter is the person depicted in the photograph, considering hair color, glasses, facial hair, cosmetics, weight, age, injury to the voter, and other physical characteristics.
- (A) If the election board worker is satisfied that the voter is the person depicted in the photographic identification document and the voter's name is consistent with the name in the poll book, then the election board worker shall issue the voter a regular ballot.
- (B) If the election board worker is unable to determine whether the voter is the person depicted in the photographic identification document because of degradation or insufficient photograph quality, then the election board worker shall issue a regular ballot to the voter if one of the following conditions is met:
- (i) The voter's date of birth on the presented photographic identification document matches the voter's date of birth in the poll book.
- (ii) The voter submits a different photographic identification document that contains a photograph that appears to the election board worker to depict the voter.
- (iii) An election board worker at the polling place possesses knowledge that the person depicted in the photographic identification document is the voter.
- (3) If the election board worker determines that the photographic identification document does not depict the voter, then the election board worker shall issue a provisional ballot unless the voter submits a different photographic identification document that contains a photograph that appears to the election board

worker to depict the voter.

- (b) The photographic identification document shall not be used to verify the address of the voter if the document contains an address. The photographic identification document shall be used to verify only the name and appearance of the voter. The poll book shall be used to verify the address of the voter by comparing the voter's address in the poll book to the address stated by the voter.
- (c) If there is a dispute regarding the application of this regulation to a voter or if the election board worker is unable to determine a voter's eligibility, the supervising judge shall make a decision regarding whether a regular ballot or a provisional ballot shall be issued.
- (d)(1) The county election officer shall present all provisional ballots to the county board of canvassers for a determination of validity.
- (2) Each provisional ballot issued under this regulation shall be counted if both of the following conditions are met, unless the provisional ballot is determined to be invalid for another reason:
- (A) Before the county board of canvassers convenes, the voter provides information to the county officer that remedies each deficiency or inconsistency that led to the issuance of the provisional ballot.
- (B) The county board of canvassers determines that the voter's provisional ballot is valid.
- (e) Nothing in this regulation shall require an election board worker to issue a regular ballot if the election board worker determines that a voter is attempting to circumvent the photographic identification requirement. Except as specified in K.S.A. 25-2908(i) and amendments thereto, nothing in this regulation shall exempt the voter from providing a photographic identification document. (Authorized by and implementing K.S.A. 2010 Supp. 25-2908, as amended by L. 2011, ch. 56, sec. 11; effective Feb. 24, 2012.)

7-46-3. Declarations of religious objection.

(a) Each person who is otherwise entitled to vote and who seeks an exemption from the photographic identification requirement pursuant to K.S.A. 25-2908(i)(5), and amendments thereto,

shall sign and submit a declaration form concerning the person's religious beliefs before receiving a ballot in each election in which the person intends to vote. The person may sign and submit the declaration form to the secretary of state or the county election officer before each election or when applying for a ballot.

(b) A voter shall not submit a declaration of religious objection in place of a valid photographic identification document after casting a ballot. (Authorized by and implementing K.S.A. 2010 Supp. 25-2908, as amended by L. 2011, ch. 56, sec. 11; effective Feb. 24, 2012.)